

## **First Direction**

Sent on behalf of the Hearing Chair, 28.03.2024

Dear all,

Please see below a question for GBRf, from the Hearing Chair. I'd be grateful if GBRf could please respond by 17:00 today so that I can send the response before the weekend.

*Can GBRf please confirm whether its request of the Chair, in SRD para 6.1(b) should be understood as a request to the Chair to exercise his power under Condition D5.3.1(c)? If so, does GBRf stipulate that exceptional circumstances exist and, if so, what are they?*

*If para 6.1(b) is not a request under that Condition, how should the Panel understand it?*

If you have any questions please let me know. Please can GBRf acknowledge receipt of this email? If I have not heard from you by 13:00 I will call to make sure you have received this email.

Kind regards

Response from GBRf, received 28.03.2024

Regarding GB Railfreight SRD para 6.1(b), GB Railfreight is requesting the Chair exercise his power under Condition D5.3.1(a).

In turn, GB Railfreight does not believe exceptional circumstances apply.

Best Regards,