

On 20 November 2025 at 08:42, the Chair issued directions via the Secretary as follows:

*In Para 5.1 GBRf makes reference to Network Code D3.4.4(b), when it may be that they, in fact, mean D3.4.10(b), which would seem to be consistent with their later references to TTP773, on which the interpretation of D3.4.10(b) turned. It may be that GBRf do rely on D3.4.4(b) but I believe it could possibly be a typing error. Can they please immediately confirm which is the exact rule they are relying upon so that NR when replying address the provision actually relied upon?*

*In addition in Para 5.10 GBRf make reference to TTP1704 when it may be that they mean TTP1706/TTP1708. The link to that determination can be found [here](#). There was an ORR appeal determination (which upheld the TTP) and the link to that is [here](#), and the link to the ORR letter to the industry can be found [here](#).*

*I merely seek clarity as to what exact rule/determination is actually being relied upon, so as to avoid wasting valuable time. Can they prepare a corrected note containing any corrections and head it*

***“REVISED SRD FROM GBRf”**. I ask for this so as to avoid confusion and distinguish what was submitted from what may now be relied upon.*

*Matthias Kelly KC Hearing Chair*

GBRf responded at 12:30 as follows:

*GBRf is relying in [sic] this reference on both Condition D3.4.4(b) and Condition D3.4.10(b) of the Network Code.*

*However, the specific point made in paragraph 5.1 of the reference – namely that Network Rail did not explain how it had reached its decision so that GBRf could understand and, if appropriate, challenge it – is intended to rely on Condition **D3.4.10(b)** (as interpreted in determination TTP773), rather than on Condition D3.4.4(b).*

*For the avoidance of doubt, paragraph 5.1 should therefore be read as referring to Condition **D3.4.10(b)**. GBRf is content for that paragraph to be corrected accordingly. GBRf’s separate reliance on Condition D3.4.4(b), in relation to Network Rail’s duty to make decisions by application of the Decision Criteria, is set out in paragraphs 2.3(b) and 6.1(a) of the reference*

*In regard to 5.10, GB Railfreight has amended reference from TTP1704 to TTP1706/TTP1708*

Later that same day, GBRf resubmitted its SRD, at the request of the Chair. The revised SRD is now on ADC’s website.