
ACCESS DISPUTES COMMITTEE

By e-mail to:

West Coast Trains Ltd ("Virgin")

Network Rail Infrastructure Ltd ("Network Rail")

From: Hearing Chair for TTP434
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Ref: ADC/TTP434

Date: 20 February 2012

Dear Sirs

Directions relating to Timetabling Panel hearing of dispute TTP434

In reading the sole reference documents for provided by yourselves for consideration at the forthcoming Timetabling Panel hearing on 27 February, I have noted (from para. 5.7 of its document) that Network Rail relies on likely passenger demand in the Greater Manchester area on August Bank Holiday Sunday (26 August) 2012 as being relevant to its application of the Decision Criteria.

To assist the Panel to reach a determination on the basis of your legal entitlements as Dispute Parties, I hereby direct that by 1500 on Friday, 24 February 2012 Network Rail must provide to the Secretary, and to any declared Dispute Parties, any evidence on which it wishes to rely to support its contention regarding likely passenger demand in the Greater Manchester area on 26 August.

In the event that any of the other passenger operators identified by Network Rail as having an interest (i.e. XC Trains Ltd, First/Keolis Transpennine Ltd, East Midlands Trains Ltd and Northern Rail Ltd) decides to join the dispute as a Dispute Party and to provide evidence to the hearing on this point (so far as that particular operator is concerned), then the Panel will be content to rely upon that evidence, but Network Rail must continue to provide relevant evidence on which it wishes to rely regarding the other operators. I expect Network Rail to liaise with these passenger operators accordingly.

This letter will be placed on the website of the Access Disputes Committee.

Yours faithfully

Clive Fletcher-Wood
Hearing Chair

pp T. S. [Signature]
Committee Secretary