
ACCESS DISPUTES COMMITTEE

By e-mail

<p>To: Stewart Smith Rail Express Systems Ltd ("RES")</p> <p> Sarah Schutte London Underground Ltd ("LUL")</p>	<p>From: Committee Secretary Floor 8 1 Eversholt Street London NW1 2DN</p> <p>Fax: 0207 554 0603 Tel: 0207 554 0601 e-mail: sec.adc@btconnect.com</p> <p>Ref: ADP50 Date: 2 March 2010</p>
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Dear Stewart and Sarah

Dispute regarding Refusal of Access to Wembley Central Station

I have noted the e-mailed correspondence of yesterday afternoon (1 March) and the view of LUL that it will be better served by producing its own submission to the Panel. Bearing in mind that RES has already drafted input for a joint submission paper, changing to separate submissions would not seem likely to create delay in putting your respective cases into the hands of the Panel members in readiness for the hearing on 24 March so I agree to proceeding on the basis of separate submissions.

Accordingly, RES is now requested to provide its detailed submission to the Panel to be with me by 09 30 on Tuesday 9 March 2010 and at the same time the document should be provided to Sarah at LUL. The submission should be based on the template for a joint reference which can be found on the Committee's website "accessdisputesrail.org".

LUL should compile a single submission document which addresses all the issues raised by RES in addition to explaining its position on the matter and providing any documentation considered relevant but which has not been supplied in the RES document. LUL should provide this document to me for the Panel (whilst also providing a copy to Stewart at RES) by 15 00 on Tuesday 16 March 2010.

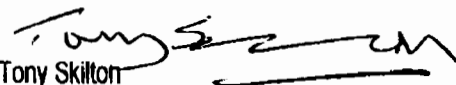
Upon receipt of the LUL document, RES should check that all its issues have been responded to; RES should respond on any particular points made by LUL when making its opening submission at the hearing.

As previously indicated, the preference is for your documentation to be provided to me electronically as this facilitates issue to the Panel members and placement on the Committee's website. The industry standard software - Microsoft Office - should be used. Pages should be numbered sequentially to facilitate ease of reference during the hearing. If your bundle cannot be provided electronically, please make arrangements with me at least two days in advance of the specified electronic submission time.

I would again remind you regarding two particular provisions within the Access Dispute Resolution Rules:

- (a) Rules A1.33 and 1.34 which set out the level of documentation that is deemed to be the minimum for the parties reasonably to expect that a Panel shall reach a determination; and
- (b) Rule A1.18 "The Panel shall reach its determination on the basis of the legal entitlements of the dispute parties and upon no other".

Yours sincerely


 Tony Skilton
 Committee Secretary