
ACCESS DISPUTES COMMITTEE

Freightliner Heavy Haul Ltd ("FLHH")

Network Rail Infrastructure Ltd ("Network Rail")

From: Hearing Chair
Floor 8
1 Eversholt Street
London NW1 2DN

Tel: 0207 554 0601
Fax: 0207 554 0603
e-mail: sec.adc@btconnect.com

Ref: ADC/TTP643
Date: 11 November 2013

Dear Sirs

Further Direction relating to Timetabling Dispute TTP643

Further to this morning's Directions, I am grateful to FLHH for its very prompt response.

I understand that Annexes G and H to FLHH's Sole Reference Document represent Network Rail's reply with written reasons to which FLHH refers in the answer to the third question in this morning's Directions ('Clarify what flexes FLHH thinks that NR should have exercised to offer it slots'). Annex H is understood to provide Network Rail's reasons for declining to offer the slots which are the subject of this December 2013 Timetable dispute, whilst Annex G contains the equivalent commentary regarding the December 2012 Timetable and to which reference is made in Annex H.


While recognising that the Annex H e-mail was part of continuing discussions between FLHH and Network Rail (and was therefore clear to its readers at the time), as it refers to other documents which are not part of the papers in this case, on its own Network Rail's response does not make it clear to the Panel what flexing possibilities were considered by Network Rail in reviewing FLHH's request for amended paths.

Network Rail is therefore requested to clarify in its Sole Response Document the points of conflict between other services and FLHH's requested paths, explaining what flexing rights may exist to overcome such conflicts, or why flexing is not able to achieve a satisfactory path for each service.

I trust that this further Direction is clear.

Yours faithfully

Clive Fletcher-Wood
Hearing Chair


Committee Secretary