**Initial contact draft email**

To: [operator]; Network Rail

Further to [insert correspondence], I am making urgent arrangements for a timetable hearing. The hearing will take place via Google Meet and may need to be held earlier or later in the day than normal.

This dispute will be given a formal TTP reference as soon as possible, but in the meantime it might be possible to hold a hearing on the following dates / times:

[dates / times]

Please let me know by [deadline] if any of those options would leave your company **completely unrepresented**.

If it is ultimately not possible to organise a hearing for any of those dates, then the remaining option open to [operator] is still to press ahead with a hearing if it feels it wishes to pursue a claim for damages associated with breach of contract (see TTP1521 and the recent guidance issued for TTP2191). This could be organised under normal timescales.

By the **same deadline**, and to assist the Hearing Chair, please let me know the following, in a **one page** summary:

1. Your Party’s understanding of the background to the dispute and the reasons (as applicable) why the decision has been disputed, e.g. application of the Decision Criteria (Network Code Chapter D 4.6), not following Part D processes *or* an overview of the reasons why it should be upheld, e.g. Decision Criteria applied correctly, timescales or consultation met in accordance with Part D, etc.;
2. What practical and specific outcome your company is seeking from the dispute, e.g. cancellation of the access, amendments to the train plan, financial damages, or that the decision is upheld;
3. Confirmation of whether you believe exceptional circumstances (Network Code Chapter D 5.3.1(c)) apply (and why);
4. Confirmation of agreement to a brief summary of the proposed determination indicating the decisions made and with a preliminary indication of the reasoning, with full written reasons to follow within the usual 10 Working Day deadline. This will enable a summary decision to be provided prior to the timetable taking place. Please note: the ORR appeals window starts when the full written determination is issued (see TTP493, etc.)

Once I have a confirmed date and time I will send an arrangements email. If the Hearing Chair requires further submissions in the usual templated format I will advise following receipt of the one page summaries; it may be that the Chair is content to manage further submissions via the Directions letter (question and answer) process. Responses need to disclose the essence of the position advanced by each party but will not be expected to be as comprehensive or polished as usual.

In the meantime you are strongly encouraged to continue discussions with a view to settling the issue without need for a hearing.

**Arrangements email**

Standard format, plus:

* Reminder that submissions can be unpolished
* If claiming exceptional circumstances, need to fully state why;
* Need to clearly, succinctly state the reasons, with evidence
* State Chair is using their powers under ADR Rule H20 to vary the procedure and deadlines