

**Gordon Herbert**  
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23 May 2023

Dear Network Rail and Freightliner Heavy Haul,

### **Proposal to adjust the Schedule 8 Train Operator and Network Rail Caps 2023-24**

We have received your notification, dated 18 May 2023 of an adjustment to the Train Operator Cap and Network Rail Cap (“the Annual Caps”) for the 2023-24 Contract Year, pursuant to paragraph 10.2 of Schedule 8 of Freightliner Heavy Haul’s Track Access Contract (Freight Services) dated 11 December 2016. The Office of Rail and Road acknowledges this and consents to the change as set out in your joint letter.

Yours faithfully

  
**Gordon Herbert**

