**Standard Form D**

[Name of Train Operator

Address 1

Address 2

Address 3

Postcode

Date:

Our Ref:]

Transport for Wales CVL Infrastructure Depot/Ty Trafnidiaeth

Trefforest Industrial Estate

Pontypridd

Wales

CF37 5UT

AIW reference: [xxx]

Dear

**[Insert Train Operator name] rejection of proposed G1 CVL Network Change:**

**[Location]**

**[Nature of Change]**

With reference to the CVL Network Change notice issued by Seilwaith Amey Cymru / Amey Infrastructure Wales Limited (“AIW”) on [insert date] in relation to the proposed scheme to [insert nature of change and location], this letter constitutes [insert Train Operator’s name] formal response under Condition G2 of the CVL Network Code.

[Insert Train Operator name] considers that the proposed CVL Network Change satisfies the condition outlined in [delete those options not applicable and retain the applicable response(s)]

* Condition G2.1.1(a)(i) in that it would necessarily result in AIW breaching [insert Train Operator’s name] Track Access Contract. As such [insert Train Operator name] objects formally to the change being made.
* Condition G2.1.1(a)(ii) in that it was not presented to [insert Train Operator name] by AIW in sufficient detail as required under Condition G1.2. As such [insert Train Operator name] objects formally to the change being made.
* Condition G2.1.1(a)(iii) in that, if implemented, it would result in a material deterioration in the performance of our trains which cannot adequately be compensated for under Condition G2. As such [insert Train Operator name] objects formally to the change being made.
* Condition G2.1.1(a)(iv) in that the proposed change does not adequately take account of [insert Train Operator’s name] reasonable expectations as to the future use of this part of the Network. As such [insert Train Operator name] objects formally to the change being made.
* Condition G2.1.1(b) in that [insert Train Operator name] is prevented by Condition G5.7 from objecting to the proposed CVL Network Change under Condition G2.1.1(a), which has been progressed using the Complex Projects Procedure, but believes that progression of the proposal would not be to the benefit of the industry as a whole. This position has been reached taking into account the alternative solutions available and the progress made to date with the proposed CVL Network Change. As such, [insert Train Operator name] objects formally to the change being made.

Our reasons for the above response are as follows:

[insert reasons for the response]

[insert any additional comments relevant to AIW taking this proposal forward e.g. probability of Train Operator accepting the scheme if certain changes are made etc.]

[If a operator has, by way of completing this form, rejected the CVL Network Change but wishes to reserve the right to claim compensation under G2.1.1(c) for the change if it goes ahead, the following wording should be used:]

[[Notwithstanding [insert Train Operator’s name] rejection of this CVL Network Change proposal outlined above, [insert Train Operator name] believes it should be entitled to compensation should the change go ahead. Such compensation would be due [in accordance with the compensation terms proposed under Condition G1] *[or]* [on terms other than those proposed (if any) under Condition G1]. [insert Train Operator name] will provide a formal response to AIW under Conditions G2.1.1(c) and G2.1.2 once its rejection(s) under G[2.1.1(a)] *[or]* [2.1.1(b)] have been resolved.]

[Following wording to be used if appropriate]

[[insert Train Operator name] wishes AIW to treat this response as “sensitive information” as that term is defined in Part A of the CVL Network Code. As such we will supply a non-sensitive version of this response as required under Condition A3.7 for publication on the AIW website.]

Yours sincerely,

**Name**

**Title/ Company**