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25 May 06

WestNet Rail Pty Ltd ABN 42 094 721 301

Mr Russell Dumas
Director Rail Division
Economic Regulation Authority
Level 6, Governor Stirling Tower
197 St Georges Terrace
Perth WA 6000

Dear Russell

Part 5 Instruments – Submission on Draft Determination of the Train Management Guidelines (TMG).

WestNet has reviewed the Draft Determination of the TMG and the bulk of the amendments as referenced in the Authority's Draft Determination have been comprehended by WestNet in the marked up copy of the TMG attached to this letter.

However WestNet does oppose one of the required amendments, for the reasons outlined below.

Required Amendment 4. - "Section 2.1 of the proposed TMG should be amended to include the objective of not deteriorating the performance of unhealthy trains"

WestNet comment - Unhealthy services are treated on a best endeavours basis in an attempt to improve the transit of the unhealthy service through the network. By the very nature of an unhealthy service there will be the potential for "out of course" crossings to further delay the unhealthy service because the objective of the train controller is to ensure that the healthy services are not jeopardised to the point whereby they too become an unhealthy service. Where the opportunity exists to manage services to improve transit times, this will occur, but is largely dependent upon the frequency of other competing services on the route.

As such the current text which reflects the "best endeavours" basis in regards to unhealthy trains has not been amended by WestNet in the copy of the TMG attached to this letter.

WestNet would be welcome the opportunity to discuss these issues with the ERA at a convenient time.

Yours faithfully

P Larsen
Acting General Manager
WestNet Rail