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**From:** Fitchie, Andrew [Andrew.Fitchie@dlapiper.com]  
**Sent:** 20 April 2009 18:23  
**To:** Gill Lindsay  
**Cc:** Horsley, Chris  
**Attachments:** 24153061\_3\_UKMATTERS(Paper on DRP Issues - 20 April 2009).DOC

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Gill

I am attaching the paper which we have prepared summarising the DRP position at the moment.

This is very much a reprise of advice sitting with **tie** at present but it should serve to give you facts as they are. What this does not do, of course, is (a) provide the decision set which **tie** will adopt to deploy the DRPs, or not: and (b) provide the advice on the merits of each DRP which needs to await further factual input from **tie** and also views from those supporting **tie's** analysis of BSC's performance against programme and culpable delay.

I am out of the office tomorrow abroad - but back on Thursday. In the meantime, please let Chris Horsley know if you require refinement on the paper or a different focus and detail.

I should also mention (you will know) that we were asked on Friday afternoon by Nick to prepare a separate paper on the consequences of ETN project scope truncation or the termination of the Infraco Contract as an adjunct of not proceeding with the tram project. This is work in progress - but should be ready by cob tomorrow. It obviously needs to deal with the impact across the complete suite of ETN Contracts and potential consequences flowing from the range of third party agreements and the Tram Acts themselves. I have asked Nick for a discussion on the level of detail required here but was not able to reach him today.

kind regards

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