

APPENDIX B

From: Andy Cooper XXXXXXXXXXXX
Sent: 06 August 2010 15:18
To: XXXXXXXXXXXX

Subject: WiFi on trains

XXXXXXXXXXXX At our last franchise meeting I mentioned I was meeting our consultants and would let you have an update on progress. I did so on 22 July. As previously reported, the merger of XXXXXXXXXXXX XXXXXXXXXXXX has injected some delay to their holding the senior technical workshop, since key personnel from both companies were 'applying for their jobs' in XXXXXXXXXXXX, the new company. They remain confident however, that the workshop can be organized before the end of August. In the meantime, they have made technical proposals which are being validated on site at Central Rivers depot on 12 August. If this is successful, we plan to go ahead with a flexible but interim solution to provide free WiFi to First Class ticket holders as quickly as possible. Once we reach that position, I would plan to agree a programme and timeline with you. Provision of WiFi throughout the train requires outputs from the workshop because what we are trying to do is find the optimum solution for WiFi building on the XXXXXXXXXXXX installation already installed in the Voyager trains for signal boosting.

In parallel, and for other reasons, we are still trying to broker a deal between XXXXXXXXXXXX to secure better reception in Voyager trains (this will benefit Virgin Trains too, of course). XXXXXXXXXXXX is on side but XXXXXXXXXXXX appears to be 'dragging its feet' again using the changed legal status coming to XXXXXXXXXXXX as an excuse. We are pressing them.

XXXXXXXXXXXX last note on the subject made a helpful proposal to regularize our franchise position on this committed obligation for which we were most grateful. We noted in return that we wanted to reach a position where we had firm programmes before agreeing to a contract change, for fear of giving both of us greater difficulty if things changed for any reason in the planning phase.

As you may have picked up, the consultants we have engaged are those which recently advised XXXXXXXXXXXX on the rail element of their XXXXXXXXXXXX proposals.

Andrew Cooper Managing Director, CrossCountry

XXXXXXXXXXXX

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From: Andy Cooper XXXXXXXXXXXX
To: XXXXXXXXXXXX
Sent: Sun Sep 05 22:10:15 2010
Subject: WiFi update

XXXXXXXXXXXX

I have spoken with the team progressing WiFi for us XXXXXXXXXXXX and they have confirmed that the workshop with the senior technical staff at XXXXXXXXXXXX is taking place on Monday (tomorrow). Following their recent technical review of Voyager installations at Central Rivers, they are evaluating within the overall project) two options for immediate installation of WiFi for First Class. A favoured solution requires an interface with the XXXXXXXXXXXX equipment on board which needs their agreement and then a trial. I am discussing the steps to securing a programme with them after their workshop this week and will update you further later this week.

Andrew Cooper Managing Director, CrossCountry
XXXXXXXXXXXX

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From: Andy Cooper XXXXXXXXXXXX
Sent: 24 September 2010 14:53
To XXXXXXXXXXXX
Cc XXXXXXXXXXXX
Subject: Committed Obligation: WiFi

XXXXXXXXXXXX I hope you had an enjoyable holiday. Whilst you have been away we have been moving the project forward as I indicated we would. We have had further meetings and discussions with our consultants for this project, XXXXXXXXXXXX, who have made rapid progress in developing a programme to deliver the solutions we are seeking. Their 'zero based' approach, starting by examining the Voyager trains as they are currently configured, as opposed to adopting commercially available solutions, looks like enabling us to reduce the time taken to complete the project, provide a value for money solution (which I don't believe has been pursued in the industry thus far) and retain a healthy commercial position for us when we come to seeking an operator.

The attached documents describe how we are proceeding. The first document (Planning & Timeline) sets out our staged approach and the logic behind it. The project is underway with material for trial installations already ordered. The three stages are described in the GANTT charts and take us from today until May 2011, with as much parallel working and overlap as is possible without jeopardizing the testing and approvals necessary. The programme allows for review and adjustment to the project as necessary, which reflects the robust technical approach being adopted and the obvious 'risks' this can present. It is very tight but we believe we can drive it forward. We will naturally report against it and will be happy to share what we learn as well as what we achieve. The second document (Statement of Works) explains the logic of what we are doing and the staging, in more detail.

We would be happy to discuss the project when you have had time to review the documents. We can then consider how to incorporate our programme into an agreement, if you are content with it. I also hope this gives more background on our plans, commitment and progress when you are discussing matters with your Enforcement Panel.

Andrew Cooper Managing Director, CrossCountry

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From: XXXXXXXXXXXX

Sent: 04 January 2011 15:53

To: Andy Cooper

Subject: wifi

Andy

Firstly, very best wishes for the New Year.

It would be very helpful to have an update on progress with your WiFi obligation. I appreciate you have been extremely busy with train performance but I really do need a written update on progress please in the next couple of days.

See you later in the week.

Best wishes,

XXXXXXXXXXXX

From: Andy Cooper XXXXXXXXXXXX

Sent: 10 January 2011 11:54

To: XXXXXXXXXXXX

Cc: XXXXXXXXXXXX

Subject: WiFi progress report

XXXXXXXXXXXX Further to my notes to you dated 24 September and 27 October, I am happy to report further progress in delivery of a value for money WiFi system on our trains. As I mentioned, I have been receiving detailed weekly reports on progress from the project manager we have appointed to oversee the project. You will recall that we have set out three stages for the pre-full fleet fit phase of the project, which are being run in parallel to the maximum extent possible:

- Stage 1 proves a working WiFi system for First Class using the capability of the XXXXXXXXXXXX signal boosting system we have already installed.
- Stage 2a tests a novel method of extending the LAN down the train through the remaining accommodation, which gives us options for the backhaul connectivity (it avoids leaving us solely dependent on one network operator)
- Stage 2b proves improved connectivity and options for charging for the service.

Stage 1 is progressing well and we are scheduled to fit the First Class test vehicle on 18th January. This will be confirmed in the next few days but all the equipment is already confirmed as delivered. We had originally hoped to fit in the week leading up to Christmas but the weather disruption to fleet deployment and maintenance schedules made this impractical and any plan unreliable. We have however, recovered the time by advancing some elements of Stage 2a, in particular the GPS/GPRS testing, protecting the end date for Stage 2a (mid March).

We have delivery dates in February from XXXXXXXXXXXX for the equipment which will drive the seat reservation system and passenger information system on our HSTs. We believe that we could commence fitment of outstanding wiring and equipment to HSTs under cover of the 'down time' for that project, and a programme for that is being developed. I should be able to update you on that programme later this month.

As you can see then, we are on schedule against the programme I shared with you and my previous update. We are not yet in a position to provide firm programme dates for campaign fitment but are moving rapidly to that position. I suggest that I update you on progress again when we have the early results from the test vehicle we are fitting next week.

Andrew Cooper Managing Director, CrossCountry

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From: Andy Cooper XXXXXXXXXXXX
Sent: 14 February 2011 15:49
To: XXXXXXXXXXXX
Cc: XXXXXXXXXXXX
Subject: RE: WiFi

Sorry, typo in first bullet. Try this version.

Andrew Cooper Managing Director, CrossCountry
XXXXXXXXXXXX

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From: Andy Cooper
Sent: 14 February 2011 15:46
To: XXXXXXXXXXXX
Cc: XXXXXXXXXXXX
Subject: WiFi

XXXXXXXXXXXX I can do little better than forward you the latest weekly report on the project. The news is generally very encouraging. You will see we have a small delay in the supply of some of the equipment we need to move the trial into the rest of the train, but I think we have a way around this which the team is discussing this week. The objective is to keep the end date for the development programme which we have so far done successfully. Let me know if you need further information.

Andrew Cooper Managing Director, CrossCountry
XXXXXXXXXXXX

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From: XXXXXXXXXXXX
Sent: 14 February 2011 18:39
To: 'andy.cooper XXXXXXXXXXXX
Cc: XXXXXXXXXXXX
Subject: Re: WiFi

Great, thanks.

XXXXXXXXXXXX

From: Andy Cooper XXXXXXXXXXXX
To: XXXXXXXXXXXX
Sent: Mon Feb 14 17:52:04 2011
Subject: WiFi

And so to prove it, this message has been sent from set 30 whilst on my way home. Again we seem to have a much better signal and connection than I have experienced on many other routes.

Andrew Cooper Managing Director, CrossCountry

XXXXXXXXXXXX

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From: XXXXXXXXXXXX
Sent: 14 February 2011 08:34
To: Stuart White; XXXXXXXXXXXX
Subject: Wifi - from Railwayeye blog

MONDAY, 14 FEBRUARY 2011

[Wifi finally appears on a CrossCountry train](#)

First Arriva CrossCountry wifi enabled set in traffic.

As exclusively revealed by Eye on the [21st January](#) and seen in service on Friday.



With a bowler tip to Is 1A03 out of Chester yet, Bert?

Telegrammed by The Fact Compiler at 08:01 

Labels: [Arriva Cross Country](#), [Deutsche Bahn](#), [WiFi](#)

From: Andy Cooper [mailto:XXXXXXXXXXXX]
Sent: 23 March 2011 20:15
To: XXXXXXXXXXXX
Cc: XXXXXXXXXXXX
Subject: Project updates

XXXXXXXXXXXX

You asked for an update on (i) Wifi.

WiFi

The project remains on programme. The next hard evidence of progress comes this week when two standard vehicles in set 30 will be equipped and turned on for mobile broadband by WiFi. The set up here will enable us to (i) test the strength of wireless inter-vehicle communication; and (ii) compare the performance of the XXXXXXXXXXXX networked WiFi link in First Class with new links here via XXXXXXXXXXXX. The view at present is that XXXXXXXXXXXX may give us the best overall coverage. The opportunity is also being taken for a further software upgrade to further improve the system. When we are happy with the installation we will publicise and switch on (free of charge). We have some 250 registered users from the First Class carriage and their feedback has been useful and encouraging. In about 3/4 weeks we should take delivery of the remaining equipment we require, at which point we will test the wired options (between ethernet jumpers and twisted pairs) along the trainset to provide the final piece of information to conclude design and our commercial strategy.

Andrew Cooper Managing Director, CrossCountry

XXXXXXXXXXXX

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From: Andy Cooper [mailto:XXXXXXXXXXXX]
Sent: 19 April 2011 10:42
To: XXXXXXXXXXXXXXX
Subject: WiFi update

XXXXXXXXXXXX I thought you would be interested in progress.

The majority of the long lead time items have now been received. The full configuration of 'test set' 30 will be completed tomorrow/Thursday. This means that all standard vehicles will be operative and promoted with some vehicles using the XXXXXXXXXXXXXXX network, others XXXXXXXXXXXXXXX We will then proceed to fit the additional equipment which provides the dynamic switching capability between networks. We expect this functionality to be operative in the second week of May. We have meetings scheduled on 12 May with potential network operators to support our system and billing arrangements. This means we remain on programme.

We now have 560 registered users providing feedback from just this one set and before we have actually promote WiFi in standard (free during the trial) which will happen this week.

We are undertaking a number of other actions in parallel to assist the wider business e.g. the XXXXXXXXXXXXXXX units which provide connectivity for Avantix machines (for catering and ticket sales/reservations) linked together by bluetooth, are being tested using the WiFi link to iron out connectivity problems.

Andrew Cooper Managing Director, CrossCountry
XXXXXXXXXXXX

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From: Andy Cooper [mailto:XXXXXXXXXXXX]
Sent: 14 June 2011 13:29
To: XXXXXXXXXXXX
Cc: XXXXXXXXXXXX
Subject: Committed Obligation Updates

XXXXXXXXXXXX

I promised to update you on the few outstanding items at our next meeting:

CO 2.1 a iv & b iii & 4.6 WiFi: On the 26 May, 220030 was fitted with a final full WiFi installation in coaches D&F, test on alternative links between vehicles having been tested. Fast and reliable coverage is provided to all areas of the train. Feedback from users of the system continues to be positive noting we are still operating a system that is under development. Currently the project is allowing us to (i) develop software to optimise data handling, session control and enhancement of the user experience; (ii) develop the methodology for charging; (iii) analysis of the current system performance.

As previously reported, in parallel we have invited and are now in receipt of, proposals from both XXXXXXXXXXXX and XXXXXXXXXXXX for alternative solutions for the supply of WiFi, and we are about to review these against the XXXXXXXXXXXX solution to determine the best solution. We are also in contact with the relevant technical and commercial people at XXXXXXXXXXXX to explore the option of using the XXXXXXXXXXXX installed Ethernet jumper connections. We intend to make recommendations on our chosen option/supplier week commencing 27 June 2011. Subsequently we will enter into a supply contract with our preferred supplier and develop a programme for fitment, the initial estimate for which is a 9 month programme for our HST and Voyager fleets. It is evident from the proposal received, that our research work on optimal solutions for Voyagers has produced better value for money solutions.

Andrew Cooper Managing Director, CrossCountry

XXXXXXXXXXXX

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WiFi on Voyagers (FA 2.1 a iv)

18. WiFi on HSTs (FA 2.1 b iii)

61. Free WiFi in First Class (FA 4.6)

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From: Andy Cooper [mailto:XXXXXXXXXXXX]
Sent: 08 August 2011 15:21
To: XXXXXXXXXXXX
Cc: XXXXXXXXXXXX
Subject: RE: Committed Obligation Updates

Sorry XXXXXXXXXXXX the last e-mail had the old attachment. You need this one!

Andrew Cooper Managing Director, CrossCountry
XXXXXXXXXXXX

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From: Andy Cooper
Sent: 08 August 2011 15:18
To: XXXXXXXXXXXX
Cc: XXXXXXXXXXXX
Subject: Committed Obligation Updates

XXXXXXXXXXXX I promised to let you have an update before our next meeting (i.e. every two periods). This charts progress since my note to you dated 14 June.

CO 2.1 a iv & b iii & 4.6 WiFi: Having received the proposals for the provision of Wi-Fi systems from both XXXXXXXXXXXX and XXXXXXXXXXXX, we have been working to iron out any potential issues with each prior to requesting the best and final offers from both parties. Our own proposal for fitment has clearly achieved the objective of introducing true competition and driving down prices from 3rd parties. We have decided not to pursue that option further at this point. In parallel throughout this period we have been undertaken a sample check of the Voyager fleet to determine whether the train wires within the current inter vehicle jumpers will be suitable to carry Wi-Fi signals between carriages. XC contracted XXXXXXXXXXXX to undertake the testing which yielded some positive results that provide an alternative to the utilisation of the XXXXXXXXXXXX jumper assembly. We met XXXXXXXXXXXX on the 12/07/11 to discuss the use of the XXXXXXXXXXXX jumper assembly for the purposes of Wi-Fi. The request was well received by XXXXXXXXXXXX and we are currently awaiting final confirmation to proceed on this basis in a fleet fitment. On the 20/07/11 XC received XXXXXXXXXXXX and XXXXXXXXXXXX to submit their best and final offers. Both companies delivered impressive presentations and have issued formalised documents to us for review. Along with the technical proposals both companies submitted their terms and conditions for review in preparation for contract award. These T&C's have been reviewed by our legal team and we have provided feedback to each supplier. We expect to receive responses to these comments during w/c 08/08/11. Once these have been reviewed (and once accepted) we will announce a preferred bidder w/c 15/08/11. We envisage contract award will take place w/c 29/08/11. This will include a final fitment programme for HSTs and Voyagers. In summary then, progress since last report and steps then to take us shortly to contract and fitment is:

- 13/06/11: received proposals for provision of Wi-Fi services from industry suppliers
XXXXXXXXXXXX XXXXXXXXXXXXXXX and XXXXXXXXXXXXXXX
- 08/07/11: completed review of proposals and issued request for Best and Final Offers (BAFO) to suppliers
- 12/07/11: met with XXXXXXXXXXXXXXX to discuss possibility of utilising pre installed XXXXXXXXXXXXXXX jumpers for Wi-Fi communications between carriages
- 13/07/11: contracted XXXXXXXXXXXXXXX to conduct a sample fleet check of train wires inside the current inter vehicle jumpers for suitability for Wi-Fi communications
- 20/07/11: both suppliers invited back in response to Best and Final offer letters for presentation of final proposals
- 21/07/11: commenced the review of final proposal offers from XXXXXXXXXXXXXXX and XXXXXXXXXXXXXXX XC 'own' solution ruled out at this point
- 22/07/11: suppliers' terms and conditions subjected to legal review and comment
- 02/08/11: legal queries provided to suppliers on contract
- w/c 08/08/11: responses expected from suppliers
- w/c 15/08/11: preferred bidder to be announced
- w/c 29/08/11: contract award

Andrew Cooper Managing Director, CrossCountry

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From: Andy Cooper [mailto:XXXXXXXXXXXX]
Sent: 07 October 2011 16:41
To: XXXXXXXXXXXX
Cc: XXXXXXXXXXXX
Subject: Committed Obligation Update

XXXXXXXXXXXX I have updated the timeline I provided before, to show progress with WiFi. The disappointing element here is the delay XXXXXXXXXXXX injected being so slow in returning contract documentation to us. We have a meeting next Friday to tie down the fitment dates based on the material delivery dates advised by XXXXXXXXXXXX in the draft contract. This is not as good as we had hoped. In the latest draft XXXXXXXXXXXX has slipped delivery of material for the first set by 4 weeks to 20 weeks from contract signature. This would allow first set fitment at week 8 (20/02/12). Our aim is to pull this back again to 23/01/2012 since this was their BAFO commitment which, at two Voyagers per week, would complete the fleet by 06/08/2012. We will fit HSTs concurrently. These are draft dates at present until contract signature and XXXXXXXXXXXX confirmation. We will keep you updated.

- 13/06/11: received proposals for provision of Wi-Fi services from industry suppliers XXXXXXXXXXXX and XXXXXXXXXXXX
- 08/07/11: completed review of proposals and issued request for Best and Final Offers (BAFO) to suppliers
- 12/07/11: met with XXXXXXXXXXXX to discuss possibility of utilising pre installed XXXXXXXXXXXX Ethernet jumpers for Wi-Fi communications between carriages
- 13/07/11: contracted XXXXXXXXXXXX to conduct a sample fleet check of train wires inside the current inter vehicle jumpers for suitability for Wi-Fi communications
- 20/07/11: both suppliers invited back in response to Best and Final offer letters for presentation of final proposals
- 21/07/11: commenced the review of final proposal offers from XXXXXXXXXXXX and XXXXXXXXXXXX XC 'own' solution ruled out at this point
- 22/07/11: suppliers' terms and conditions subjected to legal review and comment
- 02/08/11: legal queries provided to suppliers on contract
- ~~w/c 08/08/11~~ 20/09/11: responses expected from suppliers
- 15/08/11: preferred bidder to be announced
- 14/10/11: Confirm XXXXXXXXXXXX can accommodate XXXXXXXXXXXX proposed fitment programme.
- ~~w/c 29/08/11~~ By 31.10.11: contract award

Andrew Cooper Managing Director, CrossCountry XXXXXXXXXXXX
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