Main Steps of the Rail Access Process

	The Railway Owner	Access Seeker	ERA
		Access seeker formally requests preliminary information	
14 days	The railway owner provides initial indication of price, terms, condition, gross tonnes carried on route section, curve and gradient diagrams, working timetables, origin and destination of proposed train paths		
		Access seeker presents proposal	
7 days	The railway owner acknowledges receipt, notifies when draft will be ready, requests compliance information and provides floor and ceiling price, costs and explanation of principles used determining those costs The railway owner also provides the floor and ceiling price to the ERA for verification		The ERA will be asked to approve access if it results in full capacity The ERA conducts public process to assess request
23 days	The railway owner provides draft agreement (if proposal does not preclude additional access) to access seeker		The ERA advises railway owner and access seeker of acceptability of floor and ceiling The ERA can conduct public process to assess floor and ceiling if access seeker agrees to extend timeline
		Access seeker forwards compliance information	
7 days	The railway owner confirms adequacy of compliance information		
23 days	The railway owner notifies in writing to commence negotiations		
		Access seeker notifies railway owner in writing to commence negotiations	
7 days		Access seeker may ask the ERA to assess if price offered is competitively neutral	The ERA provides opinion

NEGOTIATION
90 days max unless jointly agreed to extend

successful → FULL ACCESS AGREEMENT or NO AGREEMENT IF ACCESS SEEKER DOES NOT WISH TO PROCEED

unsuccessful → MEDIATION

MEDIATION

successful → FULL ACCESS AGREEMENT or NO AGREEMENT IF ACCESS SEEKER DOES NOT WISH TO PROCEED

unsuccessful → ARBITRATION

ARBITRATION → FULL ACCESS AGREEMENT or NO AGREEMENT IF ACCESS SEEKER DOES NOT WISH TO PROCEED