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Norwich to Tilbury

Volume 8: Examination Documents

**Document: 8.7 Statutory Undertaker Tracker - Tracked
Changes Version**

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Revision History

<u>Version</u>	<u>Date</u>	<u>Submitted at</u>
<u>A</u>	<u>26 February 2026</u>	<u>Deadline 1</u>
<u>B</u>	<u>10 April 2026</u>	<u>Deadline 3</u>

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1. Protective Provisions, Side Agreements and S127/S138 PA 2008

Key to Text entries

~~Protective Provisions, Side Agreements and S127/S138 PA 2008~~

~~Table 1.1 — Protective Provisions, Side Agreements and S127/S138 Position for Statutory Undertakers — Deadline 1 Update~~

Key	Description	Amount
	Relying on protective provisions as in draft order.	12
	Bespoke protective provisions only (no side agreement required).	5
	Side agreement only (no protective provisions required).	2
	Protective provisions and side agreement.	6

Table 1.1 — Protective Provisions, Side Agreements and S127/S138 Position for Statutory Undertakers – Deadline 3 Update

Organisation	Status of protective provisions Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)			Scope and purpose of any relevant side agreement Status of protective provisions	Current position Scope and purpose of any relevant side agreement	Progress since last update Current position	S127/S138 engaged?
	CA	CA of rights	TP				
1 Affinity Water Limited	▲▲▲	There are standard protective provisions for the benefit of water and sewage undertakers at Schedule 16, Part 1. However, the parties are in discussion and are seeking to reach an agreement on bespoke protective provisions.	Not currently required.	Under negotiation - The parties' legal advisors have been in contact since September 2025, with draft protective provisions provided in October 2025 and correspondence on-going thereafter. Latest versions of PPs returned to Affinity Water's lawyers on 20 February 2026 <u>and the Applicant last followed up on 30 March 2026. As these protective provisions are under negotiation, the Applicant anticipates including them in the draft Order at Deadline 6.</u>	To be completed for next deadline.	Both.	

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Organisation	Status of protective provisions Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)			Scope and purpose of any relevant side agreement	Current position	Progress since last update	S127/S138 engaged?
	CA	CA of rights	TP	Status of protective provisions	Scope and purpose of any relevant side agreement	Current position	
2	Anglian Water Services Limited	There are standard protective provisions for the benefit of water and sewage undertakers at Schedule 16, Part 1. However, the parties are in discussion and have substantially agreed on bespoke protective provisions.		Not currently required.	Parties have been in correspondence since August 2025. Protective provisions now substantially agreed. <u>The Applicant anticipates that protective provisions will be included in the draft Order at Deadline 5.</u>	To be completed for next deadline.	Both.
3	Arelion UK Ltd	There are standard protective provisions for the benefit of operators of electronic communications code networks at Schedule 16, Part 2. <u>No further protective provisions to be submitted.</u>		Not currently required.	Contacted <u>Latest contact on</u> week commencing 2 nd February, providing draft SoCG, GIS shapefile, and interface schedule documenting all interactions. <u>The Applicant followed up on 4th March with further methodology statements.</u> Awaiting comments <u>back.</u>	To be completed for next deadline.	S138.

Organisation	Status of protective provisions-Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)			Scope and purpose of any relevant side agreement	Current position	Progress since last update	S127/S138 engaged?
	CA	CA of rights	TP	Status of protective provisions	Scope and purpose of any relevant side agreement	Current position	
4	Cadent Gas Ltd	There are standard protective provisions for the benefit of gas undertakers at Schedule 16, Part 1. However, the parties are in discussion and have substantially agreed on bespoke protective provisions.		A side agreement is substantially agreed.	Parties have been in correspondence since September 2025. Bespoke protective provisions and side agreement now substantially agreed. <u>The parties are moving to execute the side agreement and the Applicant anticipates that protective provisions will be included in the draft Order at Deadline 4.</u>	To be completed for next deadline.	S138.
5	Conrad Energy Ltd	There are standard protective provisions for the benefit of electricity and undertakers at Schedule 16, Part 1. <u>No further protective provisions to be submitted.</u>		Not currently required.	Latest contact on week commencing 10 th February, providing CAD drawing. SoCG provided week commencing 2 nd February. <u>[RICKY YATES TO</u>	To be completed for next deadline.	Both

Organisation	Status of protective provisions-Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)	Scope and purpose of any relevant side agreement Status of protective provisions	Current position Scope and purpose of any relevant side agreement	Progress since last update Current position	S127/S138 engaged?	
	<u>CA</u> <u>CA of rights</u> <u>TP</u>					
			<u>CONFIRM]</u> On the 4th March contact was made with Conrad energy regarding the request for a layout drawing and calculations for anticipated losses to Conrad. Conrad Energy replied on 5 th March stating they will come back to us in approximately 2 weeks when they have documentation ready to send over. Documentation has not been received to date.			
6	Eastern Power Networks plc (UKPN)	There are standard protective provisions for the benefit of electricity undertakers at Schedule 16, Part 1. <u>No further protective</u>	An overarching agreement is currently under negotiation.	Discussions between the parties over diversions, design and collaboration have been <u>ongoing/on-going</u> for a number of years.	To be completed for next deadline.	Both.

Organisation	Status of protective provisions Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)	Scope and purpose of any relevant side agreement Status of protective provisions	Current position Scope and purpose of any relevant side agreement	Progress since last update Current position	S127/S138 engaged?
	<u>CA</u> <u>CA of rights</u> <u>TP</u>				
	<u>provisions to be submitted.</u>		The draft Overarching Agreement was issued to UKPN in January 2026 for comment. <u>A meeting was held on 5th March and EPN returned their comments on the documentation on 27th March. The Applicant is reviewing EPN's position and a further meeting is being arranged to discuss.</u>		
7	Energy Assets Networks Ltd & Energy Assets Pipelines Ltd	There are standard protective provisions for the benefit of electricity and gas undertakers at Schedule 16, Part 1. <u>No further protective provisions to be submitted.</u>	Not currently required.	Contacted <u>Latest contact</u> on week commencing 2 nd February, providing draft SoCG, GIS shapefile, and interface schedule documenting all interactions. <u>Awaiting comments. Initial response indicates potentially no</u>	To be completed for next deadline. S138.

Organisation	Status of protective provisions Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)			Scope and purpose of any relevant side agreement Status of protective provisions	Current position Scope and purpose of any relevant side agreement	Progress since last update Current position	S127/S138 engaged?
	CA	CA of rights	TP				
					interactions between two parties. A follow up call is being arranged to confirm. Awaiting comments.		
8	Equinor UK Limited	There are standard protective provisions for the benefit of electricity and gas undertakers at Schedule 16, Part 1. However the parties are seeking to reach an agreement on bespoke protective provisions.	Not currently required <u>Heads of terms for a proposed side agreement have been received from Equinor and are currently being reviewed.</u>	Equinor have indicated PPs to be requested by them, a draft proposal of which were received 18 th February. <u>Technical meeting held on 23rd March. Legal meeting in process of being arranged. As these protective provisions are under negotiation, the Applicant anticipates including them in the draft Order at Deadline 6.</u>	To be completed for next deadline.	Both.	
9	euNetworks The Loop Limited	There are standard protective provisions for the benefit of	Not currently required.	Contacted <u>Latest contact on week commencing 2nd</u>	To be completed for next deadline.	S138.	

Organisation	Status of protective provisions Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)	Scope and purpose of any relevant side agreement Status of protective provisions	Current position Scope and purpose of any relevant side agreement	Progress since last update Current position	S127/S138 engaged?
	<u>CA</u> <u>CA of rights</u> <u>TP</u>				
	operators of electronic communications code networks at Schedule 16, Part 2. <u>No further protective provisions to be submitted.</u>		February, providing draft SoCG, GIS shapefile, and interface schedule documenting all interactions. <u>Meeting held 12th March, engagement ongoing. Awaiting comments.</u>		
10	EXA Infrastructure There are standard protective provisions for the benefit of operators of electronic communications code networks at Schedule 16, Part 2. <u>No further protective provisions to be submitted.</u>	Not currently required.	<u>Contacted latest contact on week commencing 26th January, providing draft SoCG, GIS shapefile, and interface schedule documenting all interactions.</u> <u>Meeting held 4th February and</u> Comments received back from EXA 5 th February. <u>Engagement ongoing</u>	<u>To be completed for next deadline.</u>	S138.

Organisation	Status of protective provisions Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)			Scope and purpose of any relevant side agreement	Current position	Progress since last update	S127/S138 engaged?
	CA	CA of rights	TP	Scope and purpose of any relevant side agreement	Current position	Current position	
11 Fulcrum Pipelines Ltd				Not currently required.	Latest contact on week commencing 2 nd February, providing draft SoCG, GIS shapefile, and interface schedule documenting all interactions. Awaiting comments.	To be completed for next deadline.	S138.
12 Gigaclear Limited				Not currently required.	Contacted Latest contact on week commencing 2 nd February, providing draft SoCG, GIS shapefile, and interface schedule documenting all interactions. <u>Meeting held 19th February and engagement ongoing.</u> Awaiting comments.	To be completed for next deadline.	S138.
13 Lumen Technologies UK Limited				Not currently required.	Latest contact on week commencing 26 th January,	To be completed for next deadline.	S138.

Organisation		Status of protective provisions Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)	Scope and purpose of any relevant side agreement Status of protective provisions	Current position Scope and purpose of any relevant side agreement	Progress since last update Current position	S127/S138 engaged?
		<u>CA</u> <u>CA of rights</u> <u>TP</u>				
		operators of electronic communications code networks at Schedule 16, Part 2. <u>No further protective provisions to be submitted.</u>		providing draft SoCG, GIS shapefile, and interface schedule documenting all interactions. Awaiting comments.		
14	National Gas Transmission Plc	There are standard protective provisions for the benefit of gas undertakers at Schedule 16, Part 1. However, the parties are in discussion and are seeking to reach an agreement on bespoke protective provisions.	A side agreement is currently under negotiation.	Draft protective provisions issued in December 2025. <u>The bespoke protective provisions</u> <u>Currently under negotiation</u> and <u>side agreement are now substantially agreed. The parties are moving to execute the side agreement and the Applicant anticipates that protective provisions will be included in the draft Order at Deadline 5</u> <u>waiting for any comments back from NGT.</u>	To be completed for next deadline.	Both.

Organisation	<u>Status of protective provisions</u> <u>Plots affected</u> (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)	<u>Scope and purpose of any relevant side agreement</u> <u>Status of protective provisions</u>	<u>Current position</u> <u>Scope and purpose of any relevant side agreement</u>	<u>Progress since last update</u> <u>Current position</u>	S127/S138 engaged?
	<u>CA</u>	<u>CA of rights</u>	<u>TP</u>		
15	National Highways Limited	There are protective provisions for the benefit of National Highways Limited at Schedule 16, Part 5. However, the parties are in discussion and are seeking to reach an agreement on the final wording of these protective provisions.	The need for an agreement is being discussed.	Parties have been in correspondence since July 2025. A meeting <u>was held on 26th February</u> is being arranged to discuss National Highways' concerns over Class 1 land take. <u>A meeting was held on 16th March</u> to discuss <u>week commencing 23 February 2026</u> and comments on the draft protective provisions <u>and the Applicant awaits an updated draft. The parties are continuing to work together to resolve issues and arrange future meetings. As these protective provisions are under negotiation,</u> for the <u>Applicant</u>	To be completed for next deadline. Both.

	Organisation	<u>Status of protective provisions</u> Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)	<u>Scope and purpose of any relevant side agreement</u> Status of protective provisions	<u>Current position</u> Scope and purpose of any relevant side agreement	<u>Progress since last update</u> Current position	S127/S138 engaged?
		<u>CA</u> <u>CA of rights</u> <u>TP</u>		<u>anticipates including them in the draft Order at Deadline 6 week commencing 2 March 2026.</u>		
16	Network Rail Infrastructure Limited	The parties are in discussion and are seeking to reach an agreement on bespoke protective provisions.	A draft framework agreement is awaited from Network Rail.	Comments on Network Rail's template form of protective provisions were provided to their legal adviser on 3 October 2025. As of 17 February 2026 a response to the Protective Provisions is awaited along with a draft framework agreement from Network Rail's solicitors. <u>The Applicant followed up with Network Rail on 4th March, 16th March and 2nd April and have received no</u>	To be completed for next deadline.	Both.

Organisation	<p>Status of protective provisions-Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)</p> <p><u>CA</u> <u>CA of rights</u> <u>TP</u></p>	<p>Scope and purpose of any relevant side agreement Status of protective provisions</p>	<p>Current position Scope and purpose of any relevant side agreement</p>	<p>Progress since last update Current position</p>	<p>S127/S138 engaged?</p>
			<p><u>substantive response or further documents.</u> Draft heads of terms for an agreement over the land rights have been issued and are under negotiation. <u>As these protective provisions are under negotiation, the Applicant anticipates including these in the draft Order at Deadline 6.</u></p>		
17	Northumbrian Water Limited (Essex and Suffolk Water)	There are standard protective provisions for the benefit of water and sewage undertakers at Schedule 16, Part 1. However, the parties are in discussion and are seeking to reach an agreement on	Currently under negotiation.	Legal representatives in correspondence since mid 2025. Documentation returned 16 th September <u>Sept</u> 2025. Side Agreement around Little Waltham pumping station proposed by E&S Water to be	To be completed for next deadline. Both.

Organisation	Status of protective provisions-Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)	Scope and purpose of any relevant side agreement Status of protective provisions	Current position Scope and purpose of any relevant side agreement	Progress since last update Current position	S127/S138 engaged?
	<u>CA</u> <u>CA of rights</u> <u>TP</u>				
		bespoke protective provisions.		incorporated into one Asset Protection Agreement. NWL's comments back 3 February 2026. Latest comments returned to NWL's lawyers on <u>30 March 2026</u> . <u>As these protective provisions are under negotiation, the Applicant anticipates including them in the draft Order at Deadline 6. 20 February 2026</u>	
18	Openreach Limited	There are standard protective provisions for the benefit of electronics communications code networks at Schedule 16, Part 2. <u>No further protective provisions to be submitted.</u>	A side agreement is currently being drafted in addition to the Protective Provisions in the Order.	Under negotiation.	To be completed for next deadline. S138.

Organisation	<u>Status of protective provisions</u> Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)	<u>Scope and purpose of any relevant side agreement</u> Status of protective provisions	<u>Current position</u> Scope and purpose of any relevant side agreement	<u>Progress since last update</u> Current position	S127/S138 engaged?
	<u>CA</u> <u>CA of rights</u>	<u>TP</u>			
19	Pivoted Power LLP	<p>There are standard protective provisions for the benefit of electricity undertakers at Schedule 16, Part 1. However the parties are in discussion and will seek to reach an agreement on bespoke protective provisions or a side agreement.</p>	<p>The parties are in discussion and will seek to reach an agreement on bespoke protective provisions or a side agreement.</p>	<p><u>A draft Heads of Terms are being finalised for issue to Pivoted Power and the parties are in contact to clarify information with each other over the interactions. As this is under negotiation, if protective provisions are required, the Applicant anticipates that they will be included in the draft Order Deadline 6. Items within the Statement of SoCG are being progressed to allow a draft Heads of Terms to be negotiated between parties.</u></p>	<p><u>To be completed for next deadline.</u> Both.</p>

Organisation	Status of protective provisions Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)			Scope and purpose of any relevant side agreement	Current position	Progress since last update	S127/S138 engaged?
	CA	CA of rights	TP	Status of protective provisions	Scope and purpose of any relevant side agreement	Current position	
20	Scottish Power (UK) Renewables Limited (East Anglia ONE)	Protective provisions are not currently anticipated.		The parties are in ongoing discussions as to the nature of protections/agreements required.	SoCG meetings held weekly to agree nature of interaction to then feed into legal agreement. <u>Draft heads of terms for an agreement were sent to SPR on 10th March. No response received. The Applicant followed up with SPR on 24th March and 9th April.</u>	To be completed for next deadline.	S138.
21	Scottish Power (UK) Renewables Limited (East Anglia THREE)	Protective provisions are not currently anticipated.		The parties are in ongoing discussions as to the nature of protections/agreements required.	SoCG meetings held weekly to agree nature of interaction to then feed into legal agreement. <u>Draft heads of terms for an agreement were sent to SPR on 10th March. No response received. The Applicant followed up with SPR</u>	To be completed for next deadline.	S138.

Organisation	Status of protective provisions Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)			Scope and purpose of any relevant side agreement	Current position	Progress since last update	S127/S138 engaged?
	CA	CA of rights	TP	Status of protective provisions	Scope and purpose of any relevant side agreement	Current position	
					on 24 th March and 9 th April.		
22	Verizon UK Ltd	There are standard protective provisions for the benefit of operators of electronic communications code networks at Schedule 16, Part 2. <u>No further protective provisions to be submitted.</u>	Not currently required.	Latest contact on week commencing 2 nd February, providing draft SoCG, GIS shapefile, and interface schedule documenting all interactions. Awaiting comments. Verizon have since returned SoCG with comments 09/02/26.		To be completed for next deadline.	S138.
23	Virgin Media Limited	There are standard protective provisions for the benefit of operators of electronic communications code networks at Schedule 16, Part 2. <u>No further protective provisions to be submitted.</u>	Not currently required.	Latest contact on week commencing 2 nd February, providing draft SoCG, GIS shapefile, and interface schedule documenting all interactions. <u>Comments received and engagement</u>		To be completed for next deadline.	S138.

Organisation	Status of protective provisions Plots affected (for reasons set out in the Applicant's response to CA 1.7, these columns will be populated at Deadline 4)			Scope and purpose of any relevant side agreement	Current position	Progress since last update	S127/S138 engaged?
	CA	CA of rights	TP	Scope and purpose of any relevant side agreement	Current position	Current position	
					ongoing. Awaiting comments.		
24	Vodafone Limited	There are standard protective provisions for the benefit of operators of electronic communications code networks at Schedule 16, Part 2. <u>No further protective provisions to be submitted.</u>	Not currently required.	Latest contact on week commencing 2 nd February, providing draft SoCG, GIS shapefile, and interface schedule documenting all interactions. Awaiting comments.		To be completed for next deadline.	S138.
25	Zayo Group UK Limited	There are standard protective provisions for the benefit of operators of electronic communications code networks at Schedule 16, Part 2. <u>No further protective provisions to be submitted.</u>	Not currently required.	Latest contact on week commencing 2 nd February, providing draft SoCG, GIS shapefile, and interface schedule documenting all interactions. <u>The Applicant followed up further on 4th March and is</u> Awaiting comments <u>back.</u>		To be completed for next deadline.	S138.

Table 1.2.1.2 Protective Provisions and Side Agreements for non-Statutory Undertakers – Deadline 31 Update

Organisation	Status of protective provisions	Scope and purpose of any relevant side agreement	Current position	Progress since last update
Suffolk County Council, Norfolk County Council, Essex County Council, Thurrock Council (Flood Authorities)	There are protective provisions for the benefit of drainage and flood authorities at Schedule 16, Part 3. However this version has not yet been agreed with the Flood Authorities and we await their comments.	Not currently required.	Parties have been in correspondence since August 2025. The Applicant followed up for LLFA's comments on the protective provisions on 17 th March. Norfolk County Council responded with separate protective provisions on 27 th March, which were returned with comments on 9 th April. The Applicant is otherwise awaiting a substantive response from the other authorities. As these protective provisions are under negotiation, the Applicant anticipates including them in the draft Order at Deadline 6. Parties have been in correspondence since August 2025. Latest contact on week commencing 23 February 2026 providing updated provisions.	To be completed for next deadline.
Suffolk County Council, Norfolk County Council,	There are protective provisions for the benefit of the highway authorities at Schedule 16, Part 4.	The Applicant will offer a highways agreement on the same terms as	Parties have been in correspondence since July 2025 in respect of the	To be completed for next deadline.

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Organisation	Status of protective provisions	Scope and purpose of any relevant side agreement	Current position	Progress since last update
Essex County Council, Thurrock Council (Highways Authorities)	However, the parties are in discussion and are seeking to reach an agreement on bespoke protective provisions.	protective provisions if completed before close of Examination.	<p><u>protective provisions. Save for some initial comments from Essex County Council, the Applicant has not received any comments or confirmation of legal advisors acting on behalf of Highways Authorities. On 27 February 2026, the protective provisions were re-sent together with a highways agreement mirroring the terms of the protective provisions. The Applicant has followed up on 17th March, 25th March, and 31st March and has received no comments. As these protective provisions are under negotiation, the Applicant anticipates including them in the draft Order at Deadline 6. Parties have been in correspondence since July 2025. Latest contact on week commencing 23 February 2026. Awaiting comments.</u></p>	

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Organisation	Status of protective provisions	Scope and purpose of any relevant side agreement	Current position	Progress since last update
Water Management Alliance (East Suffolk Water Management Board, Norfolk Rivers Internal Drainage Board, and Waveney, Lower Yare & Lothingland Internal Drainage Board)	There are protective provisions for the benefit of drainage and flood authorities provided at Schedule 16, Part 3. However this version has not yet been agreed with the Water Management Alliance on behalf of the Drainage Boards and the parties are in negotiation over the terms of the Protective Provisions.	Not currently required.	Parties have been in correspondence since October 2025. Latest contact on week commencing 16 February 2026 requesting an update in relation to the WMA's review of the draft provisions. <u>Response on protective provisions received from Water Management Alliance on 17th March. The Applicant has returned the protective provisions on 9 April. As these protective provisions are under negotiation, the Applicant anticipates including them in the draft Order at Deadline 6.</u>	To be completed for next deadline.
<u>Exolum Pipeline System Ltd</u>	<u>The parties are in discussion and are seeking to reach an agreement on bespoke protective provisions.</u>	<u>Not currently required.</u>	<u>Legal representatives in correspondence since August 2024. The parties are continuing to work together to resolve outstanding issues. Updated protective provisions were sent to Exolum on 24 March and the Applicant awaits comments. As these protective provisions are under negotiation, the Applicant anticipates including them in the draft Order at Deadline 6.</u>	

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Organisation	Status of protective provisions	Scope and purpose of any relevant side agreement	Current position	Progress since last update
<u>British Pipeline Agency</u>	<u>The parties are in discussion and are seeking to reach an agreement on bespoke protective provisions.</u>	<u>Asset protection agreement is currently under negotiation.</u>	<u>Legal representatives in correspondence since April 2025 and the parties continue to have regular meetings to agree an Asset Protection Agreement to resolve BPA's concerns If protective provisions are required these are under negotiation as part of the resolution of BPA's concerns and the Applicant anticipates including them in the draft Order at Deadline 6.</u>	

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