



Strategy & Regulation

Steven Preece
The Regulatory Appeals Team
Competition and Markets Authority
Victoria House
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Dear Steven,

Water Codes Appeals Rules and Guide Consultation

Thank you for the opportunity to respond to this consultation.

We believe the approach of implementing a fast-track appeal process under the auspices of the Competition and Markets Authority ("CMA") will result in a lower regulatory burden and quicker, more transparent decisions.

The structure of the process, with separate Rules and Guides, works well and each of the documents is clear. We have no suggestions for any changes to either of these.

We note that the Market Arrangements Code Section 6 (Change process in respect of the Wholesale-Retail Code) and Section 7 (Change process in respect of the Market Arrangements Code) will need to be amended to reflect the potential impact of a successful appeal.

We suggest that the changes should include provisions that:

- the implementation of an appealed change be suspended until the conclusion of the appeal; and
- a successful appeal against a change rejected by Ofwat is considered to be approved immediately on conclusion of the CMA appeal process.

We hope these comment are helpful.

Yours sincerely,

Colm Gibson
Head of Economic Regulation