

**BEFORE THE COMPETITION AND MARKETS
AUTHORITY**

**IN THE MATTER OF AN APPEAL UNDER SECTION 207A OF THE WATER
INDUSTRY ACT 1991**

BETWEEN:

**CASTLE WATER
LIMITED**

Appellant

– and –

**THE WATER
SERVICERS
REGULATION
AUTHORITY (“OFWAT”)**

Respondent

COST ORDER

UPON the application brought by the Appellant on 26 February 2025 for permission to appeal Ofwat’s decision of 5 February 2025 to reject its proposed modification CPW132 to the Wholesale Retail Code issued under the Act (the ‘Decision’),

AND UPON the grant of permission to appeal on 12 March 2025,

AND UPON the CMA considering the appeal and the representations and submissions made by the Parties,

AND UPON the CMA having issued its Final Determination on 13 May 2025 dismissing the appeal and the Decision having been confirmed to that extent,

AND UPON considering the submissions made by the parties on the matter of costs incurred in connection with the appeal,

AND UPON the CMA having provided the parties a provisional determination on costs and draft costs order on 4 July 2025 and having invited the parties to provide representations in response by 18 July 2025,

AND UPON noting that neither party made substantive representations on the provisional determination on costs,

AND UPON the CMA having made a final determination on costs (Costs Determination) on 5 August 2025,

IT IS ORDERED THAT:

Commencement and interpretation

1. This Order shall take effect on the date it is made.
2. Terms and expressions used in this Order have the same meaning as in the Final Determination and the Costs Determination except where otherwise indicated.

Costs incurred by the CMA

3. The CMA's costs incurred in connection with the appeal being £387,541 shall be paid by Castle Water Limited.

Inter partes costs

4. In respect of costs incurred by Ofwat in connection with the appeal, £111,766.10 shall be paid by Castle Water Limited.

Time for payment of costs

5. A person required by this Order to make a payment of costs must do so before the end of the period of 28 days beginning with the day after this Order is made.
6. In default of payment within the period prescribed in paragraph 5 of this Order, interest shall be payable on the sums unpaid at one percentage point above the Bank of England's base rate from time to time in force.

[S]

Richard Feasey

CMA Appeal Chair

5 August 2025