



COMPETITION APPEAL TRIBUNAL

**IN THE COMPETITION APPEAL  
TRIBUNAL**

**Case Nos. 1031/2/4/04  
and 1034/2/4/04 (IR)**

BETWEEN:

**ALBION WATER LIMITED**

Appellant

-v-

**DIRECTOR GENERAL OF WATER SERVICES**

Respondent

supported by

**DŴR CYMRU CYFYNGEDIG (1)**

and

**UNITED UTILITIES WATER PLC (2)**

Interveners

---

**CONSENT ORDER**

---

**UPON** reading the appellant's application for interim measures pursuant to rule 61 of the Competition Appeal Tribunal Rules 2003

**AND UPON** reading the written submissions of the parties

**AND UPON** hearing legal representatives for the parties at a case management conference held on 2 June 2004

**IT IS AGREED BY CONSENT THAT:**

1. With effect from 1 July 2004 (or the first date thereafter on which the meter is read) the price payable by the appellant for the bulk supply by Dŵr Cymru Cyfyngedig ("Dŵr Cymru") of non-potable water (based on a continuation of the original bulk supply agreement between the appellant and Dŵr Cymru dated 10 March 1999) will be reduced by 2.05 p/m<sup>3</sup>.
2. The appellant and Dŵr Cymru have agreed to enter into an arrangement which guarantees that bill payments made by UPM to the appellant are

paid into an account under the joint control of the appellant and Dŵr Cymru at a financial institution agreed by both parties guaranteeing that Dŵr Cymru's bill has first call on payments by UPM.

3. The appellant undertakes to inform the Tribunal on a timely basis of any material change in its financial circumstances from the date of this Order.
4. These arrangements to continue until further Order.
5. Liberty to apply.

**Sir Christopher Bellamy**  
President of the Competition Appeal Tribunal

Made 2 June 2004  
Drawn 4 June 2004