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IN THE COMPETITION
APPEAL TRIBUNAL

Case No. 1058/2/4/06

Victoria House,
Bloomsbury Place,
London WC1A 2EB

4th April 2007

Before:

MARION SIMMONS QC
(Chairman)

(Sitting as a Tribunal in England and Wales)

BETWEEN:

INDEPENDENT WATER COMPANY LIMITED

Appellant

supported by

ALBION WATER LIMITED

Intervener

- v -

WATER SERVICES REGULATION AUTHORITY

Respondent

supported by

BRISTOL WATER Plc

Intervener

Mr. David Allen Green (of Mssrs Taylor Wessing) appeared on behalf of Independent Water Company Limited

PROCEEDINGS AFTER JUDGMENT HANDED DOWN

THE CHAIRMAN: For the reasons given in the judgment that I am now handing down, the Tribunal has decided that on the issue of admissibility each party should bear its own costs. In respect of Independent Water Company Ltd's attempt to appeal interim measures, the Tribunal orders Independent Water Company, the appellant, to pay the Authority's costs which it assesses in the amount of £1,600, excluding VAT.

In respect of the appellant's applications for pre-emptive costs orders, the Tribunal has decided that the appellant should pay the Authority's reasonable costs, which it assesses as £1,400, exclusive of VAT. The figures I have stated, as I have said, are exclusive of VAT. I do not know whether VAT is payable on these sums and if it is then the total gross payment will need to be quantified. If VAT is payable and the order is required to state the gross amount then perhaps the Registry could be informed of the figures so that they can go into the order and I hope that the parties can agree the figures

MR. GREEN: Yes, Ma'am.

THE CHAIRMAN: Are there any other applications?

MR. GREEN: No, Ma'am.
