



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1635/7/7/24

BETWEEN:

PROFESSOR CAROLYN ROBERTS

Applicant/Proposed Class Representative

- v -

(1) THAMES WATER UTILITIES LIMITED

(2) KEMBLE WATER HOLDINGS LIMITED

Respondents/Proposed Defendants

-and-

THE WATER SERVICES REGULATION AUTHORITY

Intervener

CONSENT ORDER

UPON the Parties having agreed the terms of this Order

AND UPON the Proposed Class Representative having filed an application for a collective proceedings order (the “**CPO Application**”) against the Proposed Defendants on 4 March 2024 (the “**Thames Proceedings**”)

AND UPON the Proposed Class Representative having filed applications for collective proceedings orders in cases 1603,1628-1631/7/7/23 (the “**Parallel Proceedings**”)

AND HAVING REGARD TO the order made by the Tribunal in the Parallel Proceedings on 1 May 2024

IT IS ORDERED BY CONSENT THAT:

1. The Thames Proceedings and the Parallel Proceedings be jointly case managed up to, and including, the hearing(s) of the collective proceedings order applications.
2. The CPO Application in the Thames Proceedings be heard together with collective proceedings order applications in the Parallel Proceedings, with evidence and submissions made with respect to each such application to stand as evidence and submissions in the other applications so far as relevant and appropriate.
3. The Thames Proceedings be subject to the order dated 1 May 2024 made in the Parallel Proceedings, save that as regards the Thames Proceedings the following shall be added:
 - a. At the end of paragraph 7: “The Proposed Defendants in the Thames Proceedings shall provide any comments on the list of Non-Vanilla CPO Issues by no later than 7 days from the list of Non-Vanilla CPO Issues being filed with the Tribunal in the Parallel Proceedings.”
 - b. At the end of paragraph 8: “The Proposed Defendants in the Thames Proceedings be granted the right to file a Supplemental Response in addition to the Consolidated Response, limited to any issues relevant to either the Thames Proceedings and/or the Parallel Proceedings only insofar as these issues are relevant to certification and are not otherwise addressed in the Consolidated Response. Such Supplemental Response to be filed and served by 4pm on 14 June 2024.”
4. Ofwat shall have permission to intervene in the Thames Proceedings.
5. Costs shall be in the case.
6. The Parties have liberty to apply.

Sir Marcus Smith

President of the Competition Appeal Tribunal

Made: 3 May 2024

Drawn: 3 May 2024