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IN THE COMPETITION

APPEAL TRIBUNAL

Victoria House,
Bloomsbury Place,
London WC1A 2EB

Case No. 1046/2/4/04

22nd December 2005

Before:

SIR CHRISTOPHER BELLAMY

(The President)

Sitting as a Tribunal in England and Wales

BETWEEN:

ALBION WATER LIMITED

Supported by

AQUAVITAE (UK) LIMITED

Appellants

And

DIRECTOR GENERAL OF WATER SERVICES

Respondent

supported by

DWR CYMRU CYFYNGEDIC

and

UNITED UTILITIES WATER PLC

Interveners

Dr. Jeremy Bryan appeared on behalf of the Appellant (Albion Water).

Mr. Michael O'Reilly (instructed by McKinnels, Leicester) appeared on behalf of the Appellant (Aquavitae)

Mr. Rupert Anderson QC (instructed by the Head of Legal Services, OFWAT) appeared on behalf of the Respondent.

Mr. Aidan Robertson (instructed by Wilmer Cutling Pickering Hale and Dorr LLP) appeared on behalf of the Intervener (Dwr Cymru)

Mr. Fergus Randolph (instructed by the Group Legal Manager, United Utilities) appeared on behalf of the Intervener (United Utilities Water PLC)

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**PROCEEDINGS AFTER INTERIM JUDGMENT
HANDED DOWN**

1 THE PRESIDENT: For the reasons set out in the judgment the Tribunal has handed out today by
2 way of an interim judgment, this matter is adjourned to a further directions hearing, the date for
3 which is set for 23rd January next, with a view to considering the matters that are summarised
4 at para.427 of the Judgment.

5 That was all we proposed to say today. We will circulate an agenda in due course.
6 The Tribunal would like to make it clear that the final result in this case at this stage remains
7 entirely open. We do not consider at this stage we have decided any point either on the law or
8 on the merits, both are for further consideration in the light of further argument hereafter. So
9 unless there are any further observations or applications the Tribunal will now stand adjourned.

10 Thank you very much.

11
12 (Adjourned until Monday, 23rd January 2006)