

## UNITED UTILITIES WATER PLC

### UNDERTAKING FOR THE PURPOSES OF SECTION 94 OF THE WATER INDUSTRY ACT 1991

#### PENKETH CATCHMENT SEWERAGE NETWORK IMPROVEMENTS

This Undertaking is given by United Utilities Water PLC ("the Company") pursuant to section 19(1)(b) of the Water Industry Act 1991 (the Act") on the 24th September 2008.

#### WHEREAS:

- (i) The Company has been appointed by the Secretary of State for the Environment as a water and sewerage undertaker pursuant to the Act.
- (ii) Section 94(1) of the Act requires every sewerage undertaker to provide, improve and extend a system of public sewers and
  - so to cleanse and maintain those sewers as to ensure that that area is and continues to be effectually drained; and
  - to make provision for the emptying of those sewers and such further provision (whether inside its area or elsewhere) as is necessary from time to time for effectually dealing, by means of sewage disposal works or otherwise, with the contents of those sewers.
- (iii) The Company has undertaken a thorough investigation of the Penketh catchment, Warrington, ("Penketh catchment") to understand the causes of the flooding from the sewerage network, surface water network and fluvial flooding which has allowed the Company to identify the flooding issues within the catchment.
- (iv) The Water Service Regulation Authority (Ofwat) on 20 May 2008 notified the company that it was considering making an enforcement order under Section 18 of the Act in relation to a specific contravention of Section 94 in the Penketh catchment.
- (v) The Company has agreed to deliver specified outputs which appear to Ofwat and to the Company to be appropriate for the purpose of securing or facilitating compliance with Section 94(1) in the Penketh catchment.

UNITED UTILITIES WATER PLC

UNDERTAKING FOR THE PURPOSES OF SECTION 94 OF THE WATER  
INDUSTRY ACT 1991

PENKETH CATCHMENT SEWERAGE NETWORK IMPROVEMENTS

THE COMPANY HEREBY UNDERTAKES TO:

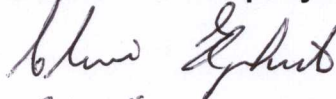
1. Subject to the solution being cost beneficial, deliver the outputs specified in Column 2 of Table 1 in Schedule 1 to this Undertaking by the reporting date specified in Column 3 of Table 1 in Schedule 1.
2. The delivery of these outputs shall be confirmed in writing to Ofwat by the Company's Reporter no later than 28 days after the expiry of the reporting date specified in Column 3 of table 1 in Schedule 1
3. Assess, offer and provide (subject to customer agreement) mitigation solutions to affected properties in the Penketh East catchment.

For the purposes of this undertaking "affected properties" is interpreted as those properties assessed as at risk of flooding once in twenty years or more often.

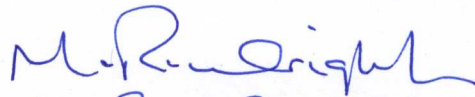
**IN WITNESS** whereof the Company has caused this undertaking to be executed the day and year first before written

**SIGNED** on behalf of the company by:

Director

  
CLIVE ELPHICK

Director

  
M. R. WRIGHT

DATE:

26/9/08

**UNITED UTILITIES WATER PLC**

**UNDERTAKING FOR THE PURPOSES OF SECTION 94 OF THE WATER  
INDUSTRY ACT 1991**

**PENKETH CATCHMENT SEWERAGE NETWORK IMPROVEMENTS**

**Schedule One**

**Penketh Catchment – Outputs**

This schedule sets out the outputs included in the Undertaking. The figures in the table below refer to the number of properties to be removed through company action from the at risk registers as indicated.

Table 1

<b>Column 1</b>	<b>Column 2</b>		<b>Column 3</b>
<b>Catchment area</b>	<b>Outputs</b>		<b>Project Completion</b>
	<b>1:10</b>	<b>1:20</b>	
Pyecroft Road	2	12	July 2009
Penketh North	8	4	December 2010
Penketh South	37	5	August 2011