

The Water Industry (Specified Infrastructure Projects) (English Undertakers) Regulations 2013

Thames Tideway Tunnel Notice of Designation

Made on 13 August 2015

Coming into effect on 14 August 2015

The Water Services Regulation Authority (Ofwat) makes this Notice in exercise of the powers conferred by regulation 8 (1) of the Water Industry (Specified Infrastructure Projects) (English Undertakers) Regulations 2013 (SI 2013/1582) (the SIP Regulations).

This Notice may be cited as the Thames Tideway Tunnel Notice of Designation and shall take effect on the day after it is signed on behalf of Ofwat.

Except as otherwise provided in this Notice, words and expressions used in the SIP Regulations and the Water Industry Act 1991 (as modified and applied by the SIP Regulations) (the Act) have the same meaning in this Notice as they have in the SIP Regulations and the Act.

1. Regulation 8(1) of the SIP Regulations provides that Ofwat or the Secretary of State may by notice designate as an "infrastructure provider" a company which appears to the Secretary of State or Ofwat to be wholly or partly responsible for a specified infrastructure project that was put out to tender in accordance with the SIP Regulations.
2. Regulation 8(2) of the SIP Regulations provides that a notice designating a company as an infrastructure provider may be issued subject to any conditions the Secretary of State or Ofwat considers to be appropriate.
3. On the 4 June 2014, by way of the Thames Tideway Tunnel Project Specification Notice (the Specification Notice), the Thames Tideway Tunnel project (the Project) was specified by the Secretary of State for the Environment, Food and Rural Affairs (the Secretary of State) as a specified infrastructure project for the purposes of regulation 4 of the SIP Regulations.
4. In accordance with regulation 6 of the SIP Regulations, Thames Water Utilities Limited (Thames Water), as the incumbent undertaker for the Project, put the Project out to tender by way of an advertisement in the Official Journal of the European Union on 10 June 2014. Ofwat and the Secretary of State were consulted on the terms on which the Project was put out to tender in accordance with regulation 6(5) of the SIP Regulations.
5. On 13 July 2015 and in accordance with regulation 6(6) of the SIP Regulations, Thames Water selected **Bazalgette Tunnel Limited** as the preferred bidder for the specified infrastructure project, subject to designation and licensing by Ofwat.
6. Ofwat is satisfied that **Bazalgette Tunnel Limited** (company number 9553573) appears to be wholly responsible for the Project specified in the Specification Notice and accordingly, pursuant to regulation 8(1) of the SIP Regulations, and having regard to its general duties imposed under section 2 of the Act, designates **Bazalgette Tunnel Limited** as an infrastructure provider wholly responsible for the Project, subject only to the condition that **Bazalgette Tunnel Limited** is granted a project licence for the Project by Ofwat pursuant to section 17FA of the Act on or before a date falling 12 months after the date of this Notice of Designation. In the event that the infrastructure provider is not granted a project licence in the time stipulated, this Notice of Designation shall lapse and cease to have effect.
7. In accordance with regulation 8(5) of the SIP Regulations, this notice shall be served on the persons mentioned in regulation 8(9)(a).

8. In accordance with section 195A of the Act, a notice stating the reasons for this decision shall be published as soon as reasonably practicable after the making of this Notice.

Keith Mason

Name: **Keith Mason**

Designation: **Senior Director, Finance and Networks**

Date: **13 August 2015**