

WATER SERVICES REGULATION AUTHORITY WATER ACT 2014, SECTION 55(1)

Modification of the Conditions of Appointment of [Appointed undertaker] whose area is wholly or mainly in Wales

**Made on 2 August 2016
Coming into effect on 3 August 2016**

The Water Services Regulation Authority, in exercise of the power conferred on it by section 55(1) of the Water Act 2014 (“the 2014 Act”), after consulting appropriate persons as required by section 55(4) of the 2014 Act, and considering it to be necessary or expedient to do so in consequence of provision made by sections 1(3) and 4(3) of, and Schedules 2 and 4 to the 2014 Act, hereby makes the modification described below to the Conditions of the Appointment of [appointed undertaker] (“the Appointee”) as a water and sewerage undertaker under Chapter 1 of Part II of the Water Industry Act 1991.

Modification

After Condition R insert the following text:

“CONDITION R2: RETAIL MARKET OPENING

1.1 General Obligations

The Appointee shall take such steps and do such things as are within its power and which are or may be necessary or expedient to ensure that it is ready for the opening of the Competitive Market on and from the Go Live Date including, without limitation:-

- (a) developing company specific market assurance and readiness plans;
- (b) identifying and gathering relevant data in relation to all Eligible Premises and supply points in its area, ensuring this data is sufficiently accurate to enable the effective functioning of the Competitive Market and ensuring it is in a form capable of being transferred to any central systems and/or any market operator established to operate the Competitive Market; and
- (c) testing and trialling any systems and processes to be put in place for the Competitive Market,

1.2 Expiry of this Condition

This condition shall cease to have effect on the Go Live Date or such earlier date as the Authority may specify in a direction for the purposes of this condition generally.

1.3 Interpretation

In this Condition:

“Competitive Market” means the provision of retail water and sewerage services to Eligible Premises

“Go Live Date” means the date determined by the Secretary of State as the date when the Competitive Market opens

“Eligible Premises” means premises other than household premises which will be eligible to be supplied with water by a water supply licensee and/or provided with sewerage services by a sewerage licensee from the Go Live Date

“water supply licensee” and “sewerage licensee” shall be construed in accordance with the provisions of Chapter 1A of Part 2 of the Act as they have been amended by the Water Act 2014.

1.4 Relationship to other obligations

The Appointee is required to comply with the Market Readiness condition only to the extent its actions are consistent with the relevant policy of Welsh Ministers, which is to retain the minimum threshold of 50MI per year for premises to be considered eligible to participate in the retail water competitive market.

**Signed for and on behalf of the
Water Services Regulation Authority**

A handwritten signature in black ink, appearing to read 'C Ross', is positioned above the printed name of the signatory.

**Cathryn Ross
Chief Executive**