



Competition law guidance consultation
Competition Policy
Ofwat
21 Bloomsbury Street
London
WC1B 3HF

20 January 2017

Dear Sir/Madam

Guidance on Ofwat's approach to competition law in the water and wastewater sector in England and Wales: a consultation

Thank you for providing the opportunity to comment on your draft guidance on Ofwat's approach to the application of Competition Act 1998 (CA98) to the water and wastewater sector in England and Wales.

We welcome the publication of this draft guidance at this important time for the industry as water and sewerage markets evolve to become more contestable and, in some parts of the value chain, subject to open competition. We think that the draft guidance is therefore timely and provides current and potential market participants with a helpful backdrop to how Ofwat will approach competition law issues that arise in the future.

We welcome the confirmation that Ofwat will follow the framework set out in the CMA guidance on market definition when defining the relevant market, based on the facts of each individual case. While we recognise that market definitions may change over time as more areas are opened up to competition, we consider the guidance would more fully achieve its aim of providing clarity on how competition law prohibitions will apply in the sector, by providing further insight into the application of the framework to specific markets in the water and wastewater sector.

Yours faithfully

A handwritten signature in blue ink that reads 'Tim Monod'.

Tim Monod
Director of Legal and Assurance