

16 December 2016

MAC Consultation
Retail Market Opening Programme
Ofwat
21 Bloomsbury Street
London
WC1B 3HF

Emailed to: retailmarketopening@ofwat.gsi.gov.uk

Dear Sir or Madam,

Ref: Consultation on the Market Arrangements Code

Thank you for giving Water Plus the opportunity to comment on the latest draft of the Market Arrangements Code.

Overall, we are supportive of the changes proposed to the MAC – please see a few comments in the next few pages.

If you would like to discuss any aspect of this response further, please do not hesitate to contact myself or a member of my team (see contact details below).

Yours faithfully,



Steve Hervouet
Head of Regulation

Contacts

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Consultation Questions

We would be grateful for comments on the MAC drafting set out in the Consultation. In addition, we would welcome any suggested improvements to the MAC for the purposes of Market Opening as well as issues such as the document hierarchy or Stapling Condition.

To aid our consideration of your comments or suggested drafting it would be helpful if you could ensure that you make a full reference to the MAC provision you are making a comment about or to which you are suggesting a change.

In addition you should explain the rationale for the comment or suggested change together with your view on whether the change is needed prior to Market Opening and why. You should also explain why this change has not been raised earlier to the ICP or indeed whether this change has already been considered by the ICP.

1. Summary

We broadly support the changes proposed to the Market Arrangements Code and we agree that the proposed changes will make the code change process more robust and effective.

However we would welcome clarity on how it can be demonstrate that the new arrangements proposed in the Market Arrangements Code are beneficial to the development of the market and the efficiency of the change process.

2. Timetable Changes (Sections 7.1.2 (e), 7.2.1, 7.2.3, 7.1.2 (d))

We agree that the timetable changes are required to allow a faster response in situations where code changes are required as part of the implementation of wider regulatory developments or legislative changes, and we support the changes being introduced to accommodate this.

3. Applicable Law Proposals (Sections 7.1.3, 7.2.1 (b))

We approve the suggested changes to enact Applicable Law proposals.

4. Review and Revise (Sections 7.2.5, 7.2.7)

We agree with the requirements for the panel to make a recommendation and to review and revise final reports, as these changes allow for better clarity and an improved process for new recommendations, and we agree that the changes proposed in the Market Arrangements Code will allow for this.