

Water Supply Licence and/or Sewerage Licence limited to self-supply: application form, version 1

Applicants are required to complete this form when making an application for a water supply licence and/or a sewerage licence (as each of those terms is defined in the Water Industry Act 1991 (as amended) (WIA91)) limited to self-supply. Water supply licences and/or sewerage licences are referred to collectively as “WSSLs” in this form and “WSSL” means either a water supply licence or a sewerage licence as the context requires.

Section A: Applicant details

- Type of application
- Applicant details and contact details
- Information for consultation notice

Section B: Managerial competency

- Previous refusal or revocation of a licence
- Insolvency
- Fit and proper
- Intended use of licence
- Forecast premises numbers

Section C: Technical competency

- Knowledge of duties and eligibility of premises for switching
- Systems and procedures
- MOSL’s process

Section D: Additional information

- Third party, advisor or sub-contractor involvement
- Other supporting information
- Primary Charges payment
- Application fee

Section E: Enclosures

- Enclosures required to be submitted with application form

Section F: Application declaration

Please send your application to Ofwat using one of the contact details below:	
Email	casemanagementoffice@ofwat.gsi.gov.uk
Address	Case Management Office Ofwat Centre City Tower 7 Hill Street Birmingham B5 4UA

This application form reflects the requirements of [Ofwat's notice](#) under s17F of the WIA91. Applicants will need to submit attachments for some of the questions in this form and may also attach additional pages should more space for a response to any of the questions be needed. Any such additional pages should be numbered and clearly indicate which questions in this application form the information is being provided for against the relevant question and the completed application form should indicate if further supporting documents have been attached.

This form should be read in conjunction with the [Application process guidance for WSSSLs limited to self-supply](#) issued by Ofwat for this purpose (referred to in this form as the Guidance). The Guidance outlines the information that we expect to be provided in response to the questions in this application form. To support applicants with completing the application form there is additional guidance at the end of this document. An applicant should ensure that it submits the information requested here along with fees payable to Ofwat. A checklist of required enclosures is set out in Section E.

Please note that if the information and/or documentation provided are incomplete, we will request the missing information. Further information may be requested by Ofwat at any time during the application process to enable us to carry out a fair and thorough assessment of the application.

In completing its application, an applicant should highlight (explaining its reasons) any information that it would not wish to be published or disclosed by Ofwat in due course. In particular an applicant should set out clearly whether, and for what length of time, it considers the information submitted to be subject to any exemptions under the Freedom of Information Act 2000. Ofwat may have regard to such submissions when considering future publication or disclosure. We will retain your information in accordance with Ofwat's retention schedule and will not share it with third parties unless we have a legal obligation to do so. Further information on the treatment of confidential information, can be obtained from Ofwat at <http://www.ofwat.gov.uk/foi/>. If you have any concerns on how we manage your personal data please contact the Data Protection Officer at FOI@ofwat.gsi.gov.uk

Please note that section 207 of the Water Industry Act 1991 provides that any applicant who knowingly or recklessly makes a statement in connection with an application for a licence that is false or misleading in a material particular is guilty of an offence in England and Wales.

Section A: Applicant details

For additional guidance on questions in this section please see [here](#).

A1. Please tick the appropriate boxes below to indicate which authorisation(s) the applicant is applying for.

Location of operation	Type of Authorisation	Please tick
England	Retail restricted to self-supply (water) authorisation	<input type="checkbox"/>
England	Retail restricted to self-supply (sewerage) authorisation	<input type="checkbox"/>

A2. Please provide information for the notice of application that will be published by Ofwat following confirmation that a complete application has been received.

Applicant's company name:

Regulated owners or associates¹ (if applicable):

Registered company number (if applicable):

Registered Address:

Please provide a brief summary of the intended use of the WSSL(s), if granted that can be published within the notice of application as part of the public consultation (around 200 words). In this section, please also include any other information that the applicant considers to be relevant to a public consultation.

A3. Please provide details for the applicant.

Applicant name:

Legal status:

¹ These are companies that sit within the group that are regulated by Ofwat

Jurisdiction in which the applicant is established:

Contact Address (principal place of business):

Email address:

Telephone number(s):

A4. Please provide the contact details of the person to whom correspondence or queries concerning this application should be directed.

Contact name:

Position in company:

Contact address:

Email address:

Telephone number(s):

A5. Is the contact provided in question A5 above also relevant for queries relating to the DWI, NRW and EA's assessment?

Yes

No If there are different details for contact between the applicant and the DWI, NRW or EA please provide these details below.

Contact name:

Position in company:

Contact address:

Email address:

Telephone number(s):

A6. Where the applicant is not an individual, please give the full names and contact details of each person concerned in the direction or management of the applicant's affairs.

A7. Please provide the name(s) and contact details for any ultimate controller of the applicant, together with the details of the nature of the control exercised.

A8. Does the applicant have any relationship with a company appointed as an undertaker or licensee under the Water Industry Act 1991?

Yes Please give details below

No

Section B: Managerial competency

For additional guidance on questions in this section please see [here](#).

B1. Have any of those persons concerned in the direction or management of the applicant detailed in response to question A6 been involved in any regulated utility business where a licence has been revoked or refused?

Yes Please give details below

No

B2. Have any of those persons concerned in the direction or management of the applicant detailed in question A6 been involved in any insolvency event (including any period of receivership or administration) or have been involved in a regulated utility which has been the subject of enforcement or revocation proceedings in respect of its licence or other authorisation?

Yes Please give details below

No

B3. Is there any current or pending litigation relating to the relevant parts of the applicant's business, involving the applicant or any of the persons referred to in response to question A6?

Yes Please give details of below

No

B4. Please provide details of any cases that involve the applicant or any of the persons referred to in response to question A6 above, where they have been found guilty of a criminal offence and/or been subjected to a civil penalty.

Yes Please give details of below

No Please provide declarations (see Guidance - section 4.5.2)

B5. Is the applicant and any of the persons referred to in response to question A6 deemed to be 'fit and proper' persons to ensure that the activities authorised by the WSSL(s) and any statutory functions imposed on the licence holder in consequence of the WSSL(s) are properly carried out?

Yes Please include declarations (see Guidance - section 4.5.3)

No Please give details of below

B6. Please provide details of the applicants intended plan for operating as a WSSL limited to self-supply, including details of the premises it will serve.

B7. What are the applicant's forecasts for the number of premises to be served by the WSSL limited to self-supply during the first three years of its operation? Are there any significant changes expected to the applicant's core business that could impact on its licenced activities?

B8. What resources does the applicant need to deliver its plan set out in B6 and B7?

B9. Do any of those persons concerned in the direction or management of the applicant detailed in response to question A6 currently work, or have they previously worked, in a regulated utility?

Yes Please give details of below

No

B10. Do any of those persons concerned in the direction or management of the applicant detailed in response to question A6 hold any professional or industry qualifications that are relevant to the management of the applicant as a licensed retailer?

Yes Please give details of below

No

Section C: Technical competency

For additional guidance on questions in this section please see [here](#).

C1. Please give details as to how the applicant will ensure that it has adequate knowledge of the duties of a licensee limited to self-supply.

Water supply:

Sewerage:

C2. Please give details as to how the applicant will ensure that it has systems and procedures in place to comply with the duties of a licensee limited to self-supply.

C3. Please give details as to how the applicant will ensure that it has adequate knowledge of the eligibility of premises to switch and to serve associated persons by a WSSL limited to self-supply.

C4. Please explain how the applicant has satisfied itself that the systems and procedures it will use for operating a WSSL limited to self-supply have sufficient capacity and capability.

C5. Please confirm whether the applicant intends to apply for or has MOSL's market entry assurance certification (MEAC) for the use of low or high volume interface with market systems?

High

Low

Section D: Additional information

For additional guidance on questions in this section please see [here](#).

D1. Details of sub-contractors who will be involved in the operations of the WSSL limited to self-supply licence activity.

D2. Details of the applicant's advisers, including accountants, lawyers and technical advisers.

D3. Please provide details of any facts or circumstances that might adversely affect the applicant's ability to exercise the functions authorised under the licence(s) the applicant is applying for.

D4. Does the applicant consider that any of the standard licence conditions or any other regulatory requirements should not apply in respect of its application?

Yes Please give details below

No

D5. Please specify any additional information that the applicant feels is necessary to support the application.

D6. Please tick how you anticipate paying the Primary Charges to the applicable wholesalers serving the premises and/or associated persons.

Pre-payment

Post-payment

D7. How has the applicant submitted the application fee with the application form?

Electronic transfer

Cheque

D8. Do you require a receipt for payment of the application fee?

Yes

No

Section E: Enclosures

Please check the following are included with the application:

Application fee (see Guidance – section 3.4)	<input type="checkbox"/>
Application form	<input type="checkbox"/>
List of premises and/or associated persons to be served (see Guidance – section 4.2.2)	<input type="checkbox"/>
Declarations of ‘fit and proper’ status (see Guidance – section 4.5.3)	<input type="checkbox"/>
Statements of any unspent criminal convictions (see Guidance – section 4.5.2)	<input type="checkbox"/>
Declaration that the applicant, if granted a WSSL, will work positively with CCWater, the DWI, NRW and the EA (see Guidance – section 4.5.4)	<input type="checkbox"/>
Declaration that the applicant is aware of the responsibilities of licensees under the WIA91 (see Guidance – section 4.5.5)	<input type="checkbox"/>
Organisational and management structure diagram (see Guidance – section 4.2.2)	<input type="checkbox"/>
Copy of the latest available financial accounts (see Guidance – section 4.3.2)	<input type="checkbox"/>
Forecast of the applicant’s projected cost savings table (see Guidance – section 4.3.2)	<input type="checkbox"/>
Supporting information relating to financial stability (see Guidance – section 4.3)	<input type="checkbox"/>
Supporting information relating to managerial competency (see Guidance – section 4.2)	<input type="checkbox"/>
Supporting information relating to technical competency (see Guidance – section 4.4)	<input type="checkbox"/>
Letter of authority (required if a third party is submitting the application)	<input type="checkbox"/>

Section F: Application declaration

I confirm that, having made due enquiry of the applicant (if someone other than me) and each of the persons (if any) listed in the responses to Section A, Question 6, the information supplied in the application form and supporting documents is complete and correct to the best of my knowledge and belief.

I confirm that I, and (if someone other than me) the applicant, will provide such further information as Ofwat requests in connection with its assessment of this application and will inform Ofwat if there is any material change to the circumstances of the applicant and/or the information contained in this application.

I confirm that I, and (if someone other than me) the applicant, consents to Ofwat sharing the contents of this application, including for the avoidance of doubt any enclosures, with third parties whose input is necessary or desirable for the assessment of this application.

Signed

Print Name

Print job title

Company name

For and behalf of (if applicable)

Dated

Additional guidance

Section A

Question 2: The purpose is for the applicant to provide information that it consents to Ofwat publishing as part of the notice of application which forms the commencement of Ofwat's 28 working day public consultation period.

Question 3: Where the applicant is not an individual, please provide the contact details of the person who may be contacted concerning the application. In setting out the applicant's legal status, please indicate whether the applicant is, for example, a body corporate, partnership, unincorporated association, individual or some other entity.

If an application is completed by a third party on behalf of the applicant, please ensure that the contact details for the licensee are included alongside the details of the third party (if applicable).

Question 4: If the application is being submitted by a third party acting on behalf of the applicant, please provide the contact details of the third party (a letter of authority should also be provided as a supporting document).

Question 5: The persons concerned in the direction or management of the applicant's affairs would typically include, in the case of companies, its directors (executive and non-executive) and, in the case of partnerships, each of the partners. In addition, details of any other persons occupying senior management positions should be provided where those individuals will be directly accountable for the licensed part of the applicant's business.

Where a third-party will be involved in the management of the WSSL, please provide contact details of each person from that third-party to be in the direction or management of the applicant's licence. If the applicant is an individual the answer to this question should be 'Not applicable' since it will have been provided in the response to question A3.

Question 6: For the purpose of the application as a whole, the 'ultimate controller' means a person or undertaking who, acting alone or jointly, has control² of the

² The concept of control should be interpreted and assessed in accordance with Merger Regulation (Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings, OJ L 24/1, 29.1.2004).

applicant and is not itself controlled by another person or undertaking. Where the applicant is the member of a group of companies, for instance, details would typically be required of the parent company and ultimate controller within that group.

Question 7: The applicant should provide details of any relationship it has with an appointed water or sewerage company or regulated licensee where there is common ownership or common control. The applicant should also highlight this detail on the organisational structure chart required to be included as an enclosure with the application. The applicant should make clear the nature of the relationship with the company, and the nature of any contractual relationships it has with the company.

Section B

Question 1: Applicants should give details of all previous or similar applications for a licence by the applicant or any of the persons referred to in question A6, including applications that were refused, withdrawn or otherwise unsuccessful.

Question 2: Applicants should include details of every occasion on which the applicant or any of the persons referred to in question A6 have been involved with a regulated utility which has been the subject of enforcement or revocation proceedings in respect of its licence or other authorisation, as well as details of any insolvency event.

Question 3: Applicants should include pending, anticipated litigation and ongoing litigation, relating to the relevant parts of the applicant's business. Disclosure should cover not only court proceedings, but also those raised by or before any other tribunal or regulatory agency. Applicants should also indicate the jurisdiction in which each litigation has been raised. Where there is a large number of cases to disclose, for example, in relation to routine debt collection, we are willing to consider disclosure of information on the basis of categories.

Question 4: This should exclude minor convictions or penalties. Where the persons listed at question A6 above have any unspent convictions please provide declarations from each person(s) to this effect. Applicants should indicate the jurisdiction in which they were convicted. We would not expect applicants to submit information about minor convictions or penalties, such as routine traffic violations. If applicants are unsure about whether or not something is a 'minor' conviction or penalty, then they should raise it with us prior to making its application. Applicants should note that we regard civil penalties as including any enforcement orders issued by a court, tribunal or other regulatory agency.

If the persons referred to in question A6 have any unspent convictions an individual declaration signed by each of these person(s) should be provided.

Question 5: In determining whether a person is fit and proper, we will have regard to, but will not be limited to:

- Any statement setting out the circumstances of the case where the person has been convicted of a criminal offence.
- Any statement setting out the circumstances of the case where the person has been the subject of any adverse finding or any settlement in civil proceedings.
- Any statement setting out the circumstances of the case where the person is currently involved in litigation.
- Any statement setting out the circumstances of the case where the person has been the director, partner or concerned in the management of a business that has gone into insolvency liquidation or administration while the person has been involved with that organisation.
- Whether the person has been, or is currently, the subject of investigation or disciplinary proceedings by any regulatory body. The applicant must provide details of any regulatory investigations or disciplinary proceedings in the last three years involving the applicant (or any of the individuals concerned with the direction or management of the applicant). A statement setting out the nature of the investigation/ disciplinary matter(s) must be provided.

Question 6: In this section, please detail the applicant's strategy for operating as a licensee limited to self-supply. In particular:

- What are the applicant's objectives for the first three years of operation?
- What are the timescales for delivery of the applicant's key objectives to serve its eligible premises and/ or associated persons?
- Which premises will the applicant be serving (including those of associated persons)?
- Where the applicant proposes providing retail services to associated persons, the applicant should provide evidence or a brief explanation as to its relationship with the associated person (see paragraph 11 of Schedule 2A to the WIA91).

Question 7: In this section, we expect applicants to provide forecast premises numbers for the years 1, 2 and 3 and an explanation on the reasoning behind these numbers. We expect applicants to also detail any significant changes expected to the applicant's core business that could impact on its licenced activities.

Question 8: The applicant should address this question in relation to the following:

- Assets required. This should be cross-referenced with the opening balance sheet where it is intended that the assets will be owned by the applicant. Where the assets are not owned by the applicant, the applicant should outline from whom (and on what commercial terms) the principal assets will be leased/ main services outsourced.
- Details of the workforce in terms of total planned numbers and by department.
- The current proposals for staff development including recruitment or training plans (in particular details about training plans should address the technical competency).

Question 9: Details should be provided of any current and/or previous employment within a regulated utility of those persons referred to in question A6. This information should include, but is not limited to, regulated utilities within England and Wales. In addition to any experience in the water and sewerage sector, previous retail experience or previous experience of other regulated utilities such as electricity, gas or telecommunications will be particularly relevant.

Question 10: Details should be provided of any professional or industry qualifications that are relevant to the management of the applicant as a licensed retailer those persons referred to in question A6.

Section C

Question 1: Please see section 4.4 of the Guidance for further details.

Question 2: Please see sections 4.4 of the Guidance for further details.

Question 3: Please see sections 2.2 of the Guidance for further details on serving associated persons and our [eligibility guidance](#) and [supplementary guidance](#) for detail on eligible customers.

Question 4: The question requires applicants to explain what design thinking and/or testing they have done to make sure that they can provide the service to themselves. We expect this to cover aspects such as IT systems and staff training.

Question 5: Further information on MOSL can be found in section 2.6 of the Guidance. Please see MOSL's [website](#) for further details.

Section D

Question 1: This should include details of any agreement with a third party to provide outsourced retail functions, with an explanation of the relevant duties and responsibilities of the third party, and the anticipated costs for this service.

Question 2: Applicants should provide information on how the applicant plans to make use of their advisers' expertise.

Question 3: In granting a WSSL, we may exclude or modify any of the standard licence conditions to such an extent as we consider requisite to meet the circumstances of a particular case. If applicants consider that we should exercise this power in the case of its application, they should set out its reasons in response to this question.

Question 4: If yes, please indicate which conditions or requirements they are and details of the reasons for the proposed disapplication of those conditions or requirements.

Question 5: In answering the question please specify where this information can be found within the supporting documents.

Question 6: Section 9 of the Wholesale Retail Code (WRC) explains that a retailer (including a licensee limited to self-supply) may select to pay its Primary Charges to the wholesaler by either Pre-Payment (Section 9.2.2) or Post-Payment (Section 9.2.3) and provides detail on the requirements of both options. Further details on the market codes can be found in section 2.5 of the Guidance.

Question 7: Payment should be made to Ofwat by cheque or by electronic transfer. Cheques should be made payable to Ofwat. Bank details for BACS electronic transfers can be found in section 3.4 of the Guidance. Receipts will be issued on request.