
**DIRECTIONS FROM THE WATER SERVICES REGULATION AUTHORITY TO
PENNON WATER SERVICES LIMITED TO PROVIDE INTERIM SUPPLY TO
PREMISES IN SOUTH WEST WATER'S AREA PREVIOUSLY SERVED BY TOR
WATER LIMITED ISSUED UNDER SECTION 63AC(3) AND SECTION 110L(3) OF
THE WATER INDUSTRY ACT 1991**

1. Interpretation

Unless otherwise specified:

- (a) terms capitalised in these directions are defined in the Interim Supply Code; and
- (b) references to sections are references to section in the Interim Supply Code.

2. Background

2.1. The Authority has issued the Interim Supply Code (the '**Code**') pursuant to sections 63AF and 110O of the 1991 Act.

- 2.2. Under section 63AC of the 1991 Act, the Authority may issue a direction to an Eligible Licensee providing that it is to be the duty of that licensee to continue the supply of water to premises which was made by the previous licensee where:
- (a) a water supply licensee (the '**Previous Licensee**') ceases to supply any premises with water; and
 - (b) the owner or occupier of the premises has not notified the water undertaker in whose area the premises are that -
 - (i) he has made arrangements for the continuation of the supply of water to the premises, or
 - (ii) he intends any supply of water to the premises to cease.

Where the premises are in a retail exit area the Authority must direct a licensee to continue the supply.

- 2.3. Under section 110L of the 1991 Act, the Authority may issue a direction to an Eligible Licensee providing that it is to be the duty of that licensee to continue to provide sewerage services to premises which were made by the previous licensee where:
- (a) a sewerage licensee (the '**Previous Licensee**') ceases to provide sewerage services to any premises; and
 - (b) the owner or occupier of the premises has not notified the sewerage undertaker in whose area the premises are that -
 - (iii) he has made arrangements for the continuation of the provision of sewerage services to the premises, or
 - (iv) he intends any provision of sewerage services to the premises to cease.

Where the premises are in a retail exit area the Authority must direct a licensee to continue the service.

- 2.4. The Previous Licensee, Tor Water Limited, ceased to provide Water Retail Services and Sewerage Retail Services to Relevant Premises on 30 January 2020 when the Previous Licensee's Wholesale Contract with South West Water Limited was terminated (the '**Termination**'). The '**Relevant Premises**' are those to which the Interim Duty Supply Points relates. The Interim Duty Supply Points are those that were Registered to the Previous Licensee in the South West Water Area at the time of the Termination.
- 2.5. The Licensee to whom these directions are addressed is an Eligible Licensee pursuant to Code and therefore for the purposes of section 63AC and section 110L of the 1991 Act. The Licensee has not chosen to Suspend its Election.
- 2.6. In accordance with Section 7 of the Code the Authority sought Interim Supply Offers. For the reasons given in the Allocation Notice the Authority has determined that the Interim Duty Supply Points shall be Allocated to the Licensee.

3. Directions under the 1991 Act

3.1. Actions for Pennon Water Services Limited

- 3.1.1. In accordance with section 63AC(3) of the 1991 Act, the Authority hereby directs that it is to be the duty of Pennon Water Services Limited to continue the supply of water to the Relevant Premises.
- 3.1.2. In accordance with section 110L(3) of the 1991 Act, the Authority hereby directs that it is to be the duty of Pennon Water Services Limited to continue to provide sewerage services to the Relevant Premises.

3.2. Commencement and Duration

- 3.2.1. The Directions shall take effect on 10 February 2020.
- 3.2.2. In accordance with the 1991 Act the duty shall be deemed to have effect from the Date of Relevant Cessation of Supply being 30 January 2020.

**Authorised on behalf of the Authority by
Georgina Mills, Director of Business Retail Market**

Georgina Mills

**Duly authorised for that purpose by the Authority
Date: 10 February 2020**