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**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Case No. 1042/2/4/04

Victoria House,  
Bloomsbury Place,  
London WC1A 2EB

31<sup>st</sup> March 2006

Before:  
SIR CHRISTOPHER BELLAMY  
(The President)  
THE HONOURABLE ANTONY LEWIS  
PROFESSOR JOHN PICKERING  
  
Sitting as a Tribunal in England and Wales

**BETWEEN:**

**ALBION WATER LIMITED**

Appellant

and

**DIRECTOR GENERAL OF WATER SERVICES**

Respondent

supported by

**THAMES WATER UTILITIES LIMITED**

Intervener

Dr. Jeremy Bryan appeared on behalf of the Appellant.

Mr. Jon Turner (instructed by the Head of Legal Services, OFWAT) appeared on behalf of the Respondent.

Mr. Stephen Tupper (Watson, Farley & Williams) appeared on behalf of the Intervener.

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**PROCEEDINGS AFTER JUDGMENT HANDED DOWN**

1 THE PRESIDENT: This is a formal hearing in which the Tribunal hands down its Judgment of  
2 today in *Albion Water Limited v Director General of Water Services supported by Thames*  
3 *Water Utilities Limited* in the “*Bath House*” case. For the reasons given in that Judgment we  
4 set aside the contested Decision on the issue of “overs and unders” on the grounds of lack of  
5 reasoning, but we do not remit the matter to the Director. What we propose to say is if there  
6 are any consequential applications, including applications for costs they should be made within  
7 14 days in writing with seven days to reply, if so advised.

8 I do not know if there are any other applications or observations, but if not the  
9 Tribunal will now adjourn.

10 MR. TURNER: None on our side, Sir.

11 THE PRESIDENT: Thank you.

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