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What additional details do you want to keep confidential?:

No

If you want part of your response kept confidential, which parts?:**Ofcom may publish a response summary:**

Yes

I confirm that I have read the declaration:

Yes

Additional comments:

Ofwat is the economic regulator of the water industry in England and Wales. Accordingly, we welcome the opportunity to respond to this consultation which sets out guidance on how Ofcom expects to handle disputes referred to it in accordance with the Access To Infrastructure (ATI) Regulations.

Generally we find the proposed guidance to be clear and well set out. Our main comments relate to the key milestones and activities for Ofcom and parties as set out in Figure: 1.1 in section 2 of the guidance document.

In particular we note that as part of the resolution phase in cases of disputes relating to non-communications infrastructure, Ofcom may consider it appropriate to request information and advice from persons of a public nature which may include other regulators. The proposed guidance states that where Ofcom requests information from such persons, such bodies can also normally expect to have between three to 10 working days to respond to any such requests.

In respect of the above we wish to note that the period for responding to requests for information and advice appears short and may need to be extended particularly if the dispute raises novel or complex issues that have not been considered previously.

We also consider that the period for responding to Ofcom should distinguish between requests for information and requests for advice. In the case of the latter it is likely that this will be more time consuming and resource intensive to provide and may require input of a more technical nature.

Notwithstanding the above we do however acknowledge the overall timescales for resolution of disputes under the regulations and welcome the proposals to engage informally with regulators at different stages of the process.