



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No: 1111/3/3/09

BETWEEN

THE CARPHONE WAREHOUSE GROUP PLC

Appellant

- supported by -

BRITISH SKY BROADCASTING LIMITED

Intervener

- v -

OFFICE OF COMMUNICATIONS

Respondent

- supported by -

BRITISH TELECOMMUNICATIONS PLC

Intervener

ORDER

UPON reading the application to amend its Notice of Appeal lodged by The Carphone Warehouse Group Plc (“the Appellant”) under rule 11 of the Competition Appeal Tribunal Rules 2003 (S.I. No. 1372 of 2003) (“the Tribunal Rules”) on 9 October 2009

AND UPON reading the submissions of the Appellant and Respondent filed in advance of the hearing

AND UPON hearing counsel for the Appellant and Respondent at a hearing on 2 November 2009

IT IS ORDERED THAT:

1. The Appellant be granted permission to amend its Notice of Appeal in the form attached to the application to amend on condition that further particulars are provided in paragraph 74A.3 identifying the matters on which it relies
2. The Appellant file and serve (if so advised) by 5.00pm on 16 November 2009 any application to make such further amendments to its Notice of Appeal as arise from the confidential information which was disclosed by or before 29 September 2009
3. The hearing of non price control matters previously fixed for 2 and 3 December 2009 be vacated
4. A further case management conference be provisionally fixed for 10.30am on 2 December 2009 to consider the matter further if required
5. Costs be reserved
6. There be liberty to apply

Vivien Rose
Chairman of the Competition Appeal Tribunal

Made: 2 November 2009
Drawn: 5 November 2009