



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

**Case No: 1167/3/3/10**

**B E T W E E N:**

**EVERYTHING EVERYWHERE LIMITED**

Appellant

- v -

**OFFICE OF COMMUNICATIONS**

Respondent

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**ORDER**

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**UPON** reading the Notice of Appeal lodged by Everything Everywhere Limited on 11 August 2010 under rule 8 of the Competition Appeal Tribunal Rules 2003 (S.I. No. 1372 of 2003) (“the Tribunal Rules”) against the determination made by the Office of Communications (“OFCOM”) contained in a document dated 11 June 2010 and entitled “Determination to resolve a dispute between Stour Marine and O2 about termination rates” (“the Determination”)

**AND UPON** reading the request by Hutchison 3G UK Limited (“Three”) for permission to intervene dated 8 September 2010

**AND UPON** reading the observations and submissions of the parties filed in response to the Tribunal’s draft agenda for the first case management conference

**IT IS ORDERED BY CONSENT THAT:**

1. Pursuant to rule 18 of the Tribunal Rules, the proceedings be treated as proceedings in England and Wales
2. The case management conference listed for 9 September 2010 be vacated

3. Three be granted permission to intervene in the proceedings and to make oral submissions at the main hearing but, subject to further permission, not to make any written submissions
4. In relation to the proceedings before the Tribunal:
  - a. OFCOM file and serve its Defence by 5pm on 15 October 2010
  - b. The Appellant file and serve its Reply and a skeleton argument for the hearing by 5pm on 24 November 2010
  - c. OFCOM file and serve its skeleton argument for the hearing by 5pm on 8 December 2010
5. A substantive hearing of the appeal be listed for 15 December 2010 with a time estimate of two days plus a further day in reserve
6. There be liberty to apply

**Marcus Smith Q.C.**  
Chairman of the Competition Appeal Tribunal

Made: 13 September 2010  
Drawn: 13 September 2010