



IN THE COMPETITION
APPEAL TRIBUNAL

Cases No: 1170/8/3/10

B E T W E E N :

BRITISH SKY BROADCASTING LTD

Appellant

- supported by -

THE FOOTBALL ASSOCIATION PREMIER LEAGUE LIMITED

Proposed Intervener

- v -

OFFICE OF COMMUNICATIONS

Respondent

- supported by -

VIRGIN MEDIA, INC.

BRITISH TELECOMMUNICATIONS PLC

TOP UP TV EUROPE LIMITED

Proposed Interveners

ORDER

UPON reading the Notice of Appeal lodged by British Sky Broadcasting Limited (“Sky”) on 11 October 2010 against the decision made by the Office of Communications (“OFCOM”) contained in a document entitled “Assessment of a complaint by Top Up TV alleging breach by Sky of Condition 14A of the TLCS licences for Sky Sports 1 and 2” dated 11 August 2010 (“the Decision”)

AND UPON reading the requests by The Football Association Premier League Limited, British Telecommunications plc, Virgin Media, Inc. and Top Up TV Europe Limited for permission to intervene in the proceedings pursuant to rule 16 of The Competition Appeal Tribunal Rules 2003 (S.I. No. 1372 of 2003) (“the Tribunal Rules”)

AND UPON reading the correspondence from the legal representatives of the parties and proposed interveners in relation to the future conduct of the proceedings

IT IS ORDERED THAT:

1. Pursuant to rule 18 of the Tribunal Rules, the proceedings be treated as proceedings in England and Wales.
2. The Football Association Premier League Limited, British Telecommunications plc, Virgin Media, Inc. and Top Up TV Europe Limited (together, “the Interveners”) be granted permission to intervene in the proceedings.
3. At this stage, the permissions to intervene referred to in paragraph 2 above are limited to written submissions and/or written evidence only.
4. All the interveners are to liaise as necessary between themselves, and with the parties whose position they support, so as to ensure there is no duplication in their submissions or evidence.
5. In relation to this appeal:
 - a. Statements of intervention by an intervener in support of Sky shall be filed and served by 5pm on 7 December 2010.
 - b. OFCOM shall file and serve its defence by 5pm on 21 December 2010.
 - c. Statements of intervention by an intervener in support of OFCOM shall be filed and served by 5pm on 17 January 2011.
6. This appeal be heard together with Cases 1156-9/8/3/10.
7. There be liberty to apply.

The Honourable Mr Justice Barling
President of the Competition Appeal Tribunal

Made: 23 November 2010
Drawn: 23 November 2010