



IN THE COMPETITION
APPEAL TRIBUNAL

Case No. 1171/3/3/10

B E T W E E N :

BRITISH TELECOMMUNICATIONS PLC

Appellant

-v-

OFFICE OF COMMUNICATIONS

Respondent

- and -

EVERYTHING EVERYWHERE LTD

HUTCHISON 3G UK LTD

Proposed Interveners

ORDER OF THE CHAIRMAN

UPON reading the notice of appeal lodged by British Telecommunications plc (“BT”) under rule 8 of the Competition Appeal Tribunal Rules 2003 (S.I. No. 1372 of 2003) (“the Tribunal Rules of Procedure”) on 11 November 2010

AND UPON reading the requests by Everything Everywhere Ltd (“EE”) and Hutchison 3G UK Ltd (“Three”) 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 the parties’ observations on those requests

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

IT IS ORDERED THAT:

1. Pursuant to rule 18 of the Tribunal Rules, the proceedings be treated as proceedings in England and Wales.
2. EE and Three (together, “the interveners”) be granted permission to intervene in the proceedings.

3. BT serve a non-confidential version of the notice of appeal and the witness statement of Mr. Stephen Best on each of the interveners forthwith and serve a non-confidential copy of the supporting documents annexed to its notice of appeal on each of the interveners as soon as possible, and in any event no later than 5pm on 23 December 2010.
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.
5. In relation to this appeal:
 - a. OFCOM file and serve its defence by 5pm on 23 December 2010;
 - b. The interveners file and serve their statements of intervention by 5pm on 21 January 2011;
 - c. BT file and serve its skeleton argument for the hearing by 5pm on 7 February 2011;
 - d. OFCOM file and serve its skeleton argument for the hearing by 5pm on 14 February 2011;
 - e. If so advised, the interveners file and serve their skeleton arguments by 5pm on 21 February 2011;
 - f. The parties prepare an agreed bundle of documents to serve as the core bundle for the hearing and an agreed joint bundle of authorities to be referred to at the hearing with key sections flagged for reference;
 - g. The parties file six copies of each of the said bundles by 5pm on 25 February 2011; and
 - h. An oral hearing be listed for 7 March 2011 with a time estimate of one and a half days.
6. This appeal be heard together with Case 1172/3/3/10.
7. There be liberty to apply.

Vivien Rose
Chairman of the Competition Appeal Tribunal

Made: 15 December 2010
Drawn: 15 December 2010