



IN THE COMPETITION
APPEAL TRIBUNAL

Case Number: 1210/3/3/13

BETWEEN:

(1) VERIZON UK LIMITED
(2) VODAFONE LIMITED

Appellants

- v -

OFFICE OF COMMUNICATIONS

Respondent

- and -

BRITISH TELECOMMUNICATIONS PLC

Intervener

ORDER

UPON the Appellants filing a joint notice of appeal dated 24 May 2013 pursuant to section 192(2) of the Communications Act 2003 (the “2003 Act”) against aspects of the decision made by the Respondent contained in its statement dated 28 March 2013 and entitled “Business Connectivity Market Review – Review of retail leased lines, wholesale symmetric broadband origination and wholesale trunk segments”

AND UPON the Tribunal referring certain questions in respect of specified price control matters (the “Reference Questions”) to the Competition Commission for determination by an Order made on 22 July 2013 pursuant to section 193 of the 2003 Act and Rule 3(5) of the Competition Appeal Tribunal (Amendment and Communications Act Appeals) Rules 2004 (S.I. 2004/2068)

AND UPON the Competition Commission notifying the Tribunal of its determination of the Reference Questions (the “Determination”) on 12 December 2013 pursuant to section 193(4) of the 2003 Act

AND UPON considering the terms of the Tribunal’s Order of 19 December 2013 requiring the parties to indicate in writing to the Tribunal by 5pm on 7 January 2014 whether they intend to challenge the Determination pursuant to section 193(7) of 2003 Act and listing a case management conference for 14 January 2014 to establish a detailed timetable for submissions in relation to any such challenge

AND UPON the Appellants notifying the Tribunal, by letter dated 7 January 2014, that they do not intend to challenge the Determination pursuant to section 193(7) of the 2003 Act

AND UPON considering the terms of a draft order agreed between the parties, which has the same effect as the terms of the Order set out below

IT IS ORDERED THAT:

1. In accordance with the Determination, and pursuant to sections 193(6) and 195(2) of the 2003 Act, the appeal be dismissed
2. The case management conference be vacated
3. There be no order as to costs

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

Made: 13 January 2014
Drawn: 13 January 2014