



**IN THE COMPETITION  
APPEAL TRIBUNAL**

Case No: 1211/3/3/13

**BETWEEN:**

**BRITISH TELECOMMUNICATIONS PLC**

Appellant

**-v-**

**OFFICE OF COMMUNICATIONS**

Respondent

**- and -**

**EVERYTHING EVERYWHERE LIMITED  
HUTCHISON 3G UK LIMITED  
VODAFONE LIMITED  
GAMMA TELECOM HOLDINGS LIMITED  
TELEFONICA O2 UK LIMITED**

Potential Interveners

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**ORDER**

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**UPON** receiving the requests for permission to intervene dated 18 June 2013 from each of Vodafone Limited, Everything Everywhere Limited and Hutchison 3G UK Limited and 19 June 2013 from each of Telefónica O2 UK Limited and Gamma Telecom Holdings Limited, pursuant to Rule 16 of the Competition Appeal Tribunal Rules 2003 (S.I. No. 1372 of 2003)

**AND UPON** the Tribunal's Order dated 25 June 2013 staying the proceedings until the handing down by the Supreme Court of its judgment in case UKSC 2012/0204 (the "SC judgment")

**AND UPON** the handing down of the SC judgment on 9 July 2014

**AND UPON** the Appellant indicating by letter to the Tribunal (copied to the Respondent and the Potential Interveners) dated 22 July 2014 that it wishes to pursue the present appeal

**AND UPON** the Appellant, the Respondent and the Potential Interveners agreeing the terms of this order

**IT IS ORDERED THAT:**

1. The Appellant shall, by 5pm on 12 September 2014, file and serve on the Respondent and the Potential Interveners a revised draft notice of appeal (the “Draft Notice of Appeal”) in place of its protective notice of appeal filed on 24 May 2013 (the “Protective Notice of Appeal”), including a version of the Draft Notice of Appeal showing changes from the Protective Notice of Appeal
2. The Appellant shall not be required to file any evidence in support of its appeal until further order
3. By 5pm on 26 September 2014:
  - a. The Respondent and the Potential Interveners shall inform the Appellant and the Tribunal in writing whether they object to any of the amendments made by the Appellant in its Draft Notice of Appeal
  - b. The Respondent shall inform the Appellant, the Tribunal and the Potential Interveners in writing whether it intends to resist any of the grounds set out in the Draft Notice of Appeal (in the event that the Tribunal gives the Appellant permission to advance the same) and, if so, which grounds it intends to resist
4. Subject to the availability of the Tribunal and the parties, a case management conference be listed for half a day in the week commencing 13 October 2014

5. There be liberty to apply

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

Made: 8 August 2014  
Drawn: 8 August 2014