



IN THE COMPETITION
APPEAL TRIBUNAL

Case No.: 1216/4/8/13

B E T W E E N

GROUPE EUROTUNNEL S.A.

Applicant

-v-

COMPETITION COMMISSION

Respondent

- and -

THE SOCIÉTÉ COOPÉRATIVE DE PRODUCTION SEA FRANCE S.A.
DFDS A/S

Interveners

ORDER

UPON considering paragraph 4 of the Order of the Chairman made on 24 June 2013 (the “CMC Order”) requiring the Respondent disclose to members of a confidentiality ring and file with the Tribunal by 5pm on 28 June 2013 the confidential version of the decision made by the Competition Commission dated 6 June 2013 (the “Decision”)

AND UPON considering the objections to certain parts of the confidential Decision being disclosed pursuant to paragraph 4 of the CMC Order received by the Tribunal from third parties on 27 June 2013 and 28 June 2013

AND HAVING REGARD TO the right of any party to apply for the redactions to be removed from the Decision as disclosed by the Respondent

IT IS ORDERED THAT:

1. Paragraph 4 of the CMC Order be varied to permit the Respondent to make the following redactions to the confidential Decision prior to giving disclosure pursuant to that paragraph:
 - a. paragraph 10.47;

- b. paragraph 10.77;
 - c. paragraph 10.167;
 - d. figure 12 of Appendix D (“*Prices in Western Channel, GBP, 2009 to 2012*”);
 - e. table 9 of Appendix D (“*Average freight prices, GBP, 2007 to 2012*”);
 - f. Figure 18 of Appendix D (“*Prices in Western Channel (passenger), GBP, 2009 to 2012*”);
 - g. table 14 of Appendix D (“*Average prices (passenger), 2007 to 2012*”); and
 - h. footnotes 8, 10 and 12 of Appendix H.
2. Paragraph 4 of the CMC Order be further varied to extend the deadline for the Respondent to give disclosure to 5pm on 1 July 2013.
 3. There be liberty to apply.

Marcus Smith QC
Chairman of the Competition Appeal Tribunal

Made: 28 June 2013
Drawn: 28 June 2013