



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No: 1234/3/3/13

BETWEEN:

GAMMA TELECOM HOLDINGS LIMITED

Appellant

-v-

OFFICE OF COMMUNICATIONS

Respondent

-and-

BRITISH TELECOMMUNICATIONS PLC

Potential Intervener

ORDER OF THE CHAIRMAN

UPON receiving a Notice of Appeal dated 23 July 2014 from the Appellant pursuant to Rule 15 of the Competition Appeal Tribunal Rules 2003 (S.I. No. 1372 of 2003)

AND UPON the Appellant indicating to the Tribunal, Respondent and Potential Intervener that, given the relevance to the appeal of the Tribunal's judgment in *British Sky Broadcasting Limited and TalkTalk Communications Group plc v Office of Communications* [2014] CAT 14 (the "Ethernet Judgment") that was handed down on 1 August 2014, the course of its appeal will largely depend on the action of the appellants in respect of the Ethernet Judgment

AND UPON the Tribunal extending the period for requesting permission to appeal the Ethernet Judgment until 12 September 2014

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

IT IS ORDERED THAT:

1. The appeal be stayed until the later of
 - a. two months from the date on which the Tribunal handed down the Ethernet Judgment or
 - b. five working days after such date as (i) permission to appeal the Ethernet Judgment is refused either by the Tribunal, or, on further application, by the Court of Appeal or (ii) permission to appeal the Ethernet Judgment is granted either by the Tribunal or the Court of Appeal or
 - c. any such other date as the Tribunal may direct
2. Upon the lifting of the stay, the Appellant, having considered the grounds on which permission to appeal the Ethernet Judgment was either refused or granted, inform the Tribunal as to how it would wish its appeal in the present case to proceed
3. Interested parties be allowed ten working days following the lifting of the stay to request permission to intervene
4. There be liberty to apply

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

Made: 13 August 2014
Drawn: 13 August 2014