



COMPETITION APPEAL TRIBUNAL

**IN THE COMPETITION
APPEAL TRIBUNAL**

Case: 1025/3/3/04

**Before:
Sir Christopher Bellamy (President)
Marion Simmons QC
Ann Kelly**

BRITISH TELECOMMUNICATIONS PLC

Appellant

-and-

THE OFFICE OF COMMUNICATIONS

Respondent

ORDER

UPON reading the submissions of the parties and of the potential interveners

AND UPON hearing counsel for the parties at a case management conference on 3 February 2004

IT IS ORDERED THAT:

1. Pursuant to rule 18(1) of the Competition Appeal Tribunal Rules 2003 the proceedings are proceedings before a Tribunal in England and Wales.
2. The Respondent shall file and serve its Defence by 5 p.m. on 18 February 2004.
3. NJ Associates is granted permission to intervene in these proceedings pursuant to Rule 16. The Tribunal will give further directions as to the scope and manner of this intervention.
4. Broadsystem Ventures Limited (“BVL”) and Thus plc (“Thus”) are granted permission to intervene in these proceedings pursuant to Rule 16. BVL and

Thus shall file and serve a statement in intervention by 5 p.m. on 25 February 2004.

5. The Appellant shall serve on NJ Associates and on the legal representative of BVL and Thus a non-confidential version of its Notice of Appeal and annexes by 5 pm on 10 February 2004. Such non-confidential version shall not contain the documents for which confidentiality has been claimed by the Appellant in its letter to the Registrar dated 6 January 2004.
6. The Respondent is granted permission to submit observations on the statement in intervention. Any such observations shall be filed and served by 5 p.m. on 3 March 2004.
7. The Appellant is granted permission to submit a Reply and observations, if any, on the matters raised by the interveners. Any such Reply and/or Response shall be filed and served by 5 p.m. on 10 March 2004.
8. A further case management conference be listed for 10.30 a.m. on 26 March 2004 with a time estimate of ½ day. Any written submissions in relation to this case management conference are to be filed and served by 5 p.m. on 23 March 2004 at the latest.
9. The main hearing be listed for 10.30 a.m. on 5 May 2004 with a time estimate of 2 days.
10. Liberty to apply.

Sir Christopher Bellamy
President of the Competition Appeal Tribunal

Made 3 February 2004
Drawn 12 February 2004