



**IN THE COMPETITION  
APPEAL TRIBUNAL**

**Case: 1057/3/3/05**

**BETWEEN:**

**THE NUMBER (UK) LIMITED**

Appellant

**-v-**

**OFFICE OF COMMUNICATIONS**

Respondent

---

**ORDER OF THE TRIBUNAL**

---

**UPON** reading the notice of appeal filed by the appellant under rule 8 of the Competition Appeal Tribunal Rules 2000, SI 2003 No 1372 (“the Tribunal Rules”) on 30 November 2005

**AND UPON** the respondent having subsequently taken a decision to handle the dispute between the appellant and British Telecommunications plc pursuant to section 186 of the Communications Act 2003

**AND UPON** reading a letter from the appellant’s solicitors dated 28 March 2006 stating that the appellant no longer considers that it serves any purpose for its appeal to remain extant and applying for permission to withdraw its appeal pursuant to rule 12 of the Tribunals Rules, subject to appropriate costs orders

**AND UPON** the respondent having consented to an order to pay the appellant’s reasonable costs in respect of the appellant’s notice of appeal

**IT IS ORDERED THAT:**

1. the appellant be granted permission to withdraw its appeal.
2. the respondent pay the appellant’s costs of its notice of appeal, the parties to reach agreement by 31 July 2006 as to the amount of such costs and, failing agreement

by that date such costs to be assessed pursuant to rule 55(3) of the Tribunal's rules on the application of either party.

3. permission to apply.

**Marion Simmons QC**  
Chairman of the Competition Appeal Tribunal

Made: 28 April 2006  
Drawn: 28 April 2006