



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case: 1083/3/3/07

B E T W E E N:

HUTCHISON 3G UK LIMITED

Appellant

-v-

OFFICE OF COMMUNICATIONS

Respondent

supported by

02 (UK) LIMITED

T-MOBILE (UK) LIMITED

VODAFONE LIMITED

ORANGE PERSONAL COMMUNICATIONS SERVICES LIMITED

BRITISH TELECOMMUNICATIONS PLC

Interveners

ORDER

UPON the Tribunal stipulating in its Order of 6 November 2007 that the date of the hearing of this appeal shall be fixed by further Order

AND UPON each of the parties to these proceedings, with the exception of O2 (UK) Limited, (“O2”) being party to the related appeals by T-Mobile, H3G, Cable & Wireless (and others) and Vodafone in cases 1089, 1090, 1091 and 1092/3/3/07 (the “termination rate dispute” appeals)

AND UPON the Tribunal deciding that the issues raised in this appeal which are not specified price control matters within the meaning of section 193(1) of the

Communications Act 2003 (“the non price control matters”) shall be heard together with certain matters raised in the termination rate dispute appeals

AND UPON considering the Order of the Tribunal of 20 November 2007 in the termination rate dispute appeals (the “Order of 20 November 2007”)

IT IS ORDERED THAT:

1. The parties, other than O2, shall either:
 - (a) include in the document referred to in paragraph 3 of the Order of 20 November 2007 any written submissions for the hearing they wish to make in respect of the non-price control matters; or
 - (b) file and serve any written submissions on those matters for the hearing by 4.00pm on 14 January 2008.
2. O2 shall file and serve any written submissions for the hearing by 4.00pm on 14 January 2008; O2 to liaise with the other parties to avoid the duplication of submissions.
3. The main bundle and authorities bundle referred to in paragraphs 4 and 5 of the Order of 20 November 2007 shall include such documents and authorities as the parties consider necessary or appropriate in respect of the matters in this appeal that are to be determined at the hearing.
4. The hearing of the non price control matters will take place at the same time as the hearing fixed by paragraph 6 of the Order of 20 November 2007.
5. There be permission to apply.

Vivien Rose
Chairman of the Competition Appeal Tribunal

Made: 30 November 2007
Drawn: 30 November 2007