



**IN THE COMPETITION
APPEAL TRIBUNAL**

Cases No: 1083/3/3/07

B E T W E E N

HUTCHISON 3G UK LIMITED

Appellant

-v-

OFFICE OF COMMUNICATIONS

Respondent

-and-

BRITISH TELECOMMUNICATIONS PLC

O2 (UK) LIMITED

T-MOBILE (UK) LIMITED

VODAFONE LIMITED

ORANGE PERSONAL COMMUNICATIONS SERVICES LIMITED

Interveners

ORDER

UPON considering the Tribunal's judgment on non price control matters handed down on 20 May 2008, [2008] CAT 11 ("the Judgment")

AND UPON considering H3G's request for permission to appeal dated 17 June 2008

AND UPON considering the written observations of the Respondent and the Interveners on H3G's request for permission to appeal

AND UPON considering the decision of the Tribunal of 23 July 2008 ([2008] CAT 16) to grant H3G permission to appeal on grounds 1, 2 and 3 as set out in its request of 17 June 2008, and to refuse permission in respect of grounds 4 and 5

IT IS ORDERED THAT:

1. Permission to appeal is granted in respect of:
 - a. Grounds 1 and 2 as set out in H3G's request for permission of 17 June 2008; and
 - b. Ground 3 as set out in H3G's request for permission of 17 June 2008 as qualified by paragraph 17 of the Tribunal's decision granting permission;
2. Permission to appeal is refused in respect of Grounds 4 and 5 as set out in H3G's request for permission of 17 June 2008;
3. Costs be reserved;
4. This Order is final.

Vivien Rose
Chairman of the Competition Appeal Tribunal

Made: 23 July 2008
Drawn: 23 July 2008