



**IN THE COMPETITION APPEAL  
TRIBUNAL**

**Case: 1094/3/3/08**

**BETWEEN:**

**VODAFONE LIMITED**

**Appellant**

**-v-**

**OFFICE OF COMMUNICATIONS**

**Respondent**

**-and-**

**BRITISH TELECOMMUNICATIONS PLC  
TELEFÓNICA O2 UK LIMITED  
ORANGE PERSONAL COMMUNICATIONS SERVICES LIMITED  
T-MOBILE (UK) LIMITED  
HUTCHISON 3G UK LIMITED**

**Interveners**

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**ORDER**

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**UPON** considering the Notice of Appeal lodged by Vodafone Limited (“Vodafone”) on 29 January 2008 against the concluding statement published by the Office of Communications (“OFCOM”) entitled “*Telephone number portability for consumers switching suppliers*” dated 29 November 2007 (“the Concluding Statement”)

**AND UPON** hearing submissions from the parties at an oral hearing from 18 to 20 June 2008

**AND UPON** the Tribunal issuing judgment in respect of these proceedings on 18 September 2008 ([2008] CAT 22) (“the Judgment”)

**IT IS ORDERED THAT:**

1. Under section 195(2) of the Communications Act 2003 (“the Act”) the appeal be allowed.

2. The Concluding Statement be set aside.
3. The matters considered in the Concluding Statement be remitted to OFCOM under section 195(4) of the Act for reconsideration in light of the findings set out in the Judgment.
4. Costs be reserved.

**Lord Carlile of Berriew QC**  
Chairman of the Competition Appeal Tribunal

Made: 18 September 2008  
Drawn: 23 September 2008