



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Cases: 1095/4/8/08  
1096/4/8/08

**BETWEEN:**

**BRITISH SKY BROADCASTING GROUP PLC**

Applicant

- and -

**(1) THE COMPETITION COMMISSION**  
**(2) THE SECRETARY OF STATE FOR BUSINESS, ENTERPRISE AND  
REGULATORY REFORM**

Respondents

- and -

**VIRGIN MEDIA, INC.**

Intervener

**VIRGIN MEDIA, INC.**

Applicant

- and -

**(1) THE COMPETITION COMMISSION**  
**(2) THE SECRETARY OF STATE FOR BUSINESS, ENTERPRISE AND  
REGULATORY REFORM**

Respondents

- and -

**BRITISH SKY BROADCASTING GROUP PLC**

Intervener

---

**ORDER**

---

**UPON** the Tribunal handing down judgment in respect of Sky's application for review (Case No 1095/4/8/08) and Virgin's application for review (Case No 1096/4/8/08) on 29 September 2008

**IT IS ORDERED THAT:**

1. Sky's application is dismissed
2. As to Virgin's application, the Report and the Decision are quashed in part namely to the extent that they relate to the application of the public interest consideration specified in subsection 58(2C)(a) of the Enterprise Act 2002

**The Honourable Mr Justice Barling**  
President of the Competition Appeal Tribunal

Made: 29 September 2008  
Drawn: 11 December 2008