



IN THE COMPETITION
APPEAL TRIBUNAL

Case: 1100/3/3/08

BETWEEN:

(1) THE NUMBER (UK) LIMITED
(2) CONDUIT ENTERPRISES LIMITED

Appellants

-v-

OFFICE OF COMMUNICATIONS

Respondent

-and-

BRITISH TELECOMMUNICATIONS PLC

Intervener

ORDER

UPON reading the Final Determinations regarding the resolution of price disputes concerning the supply of certain directory information by British Telecommunications plc to The Number (UK) Ltd and Conduit Enterprises Ltd published on 10 March 2008 by the Office of Communications (“OFCOM”)

AND UPON reading the notice of appeal lodged by The Number (UK) Limited and Conduit Enterprises Limited on 7 May 2008

AND UPON hearing submissions from the parties at an oral hearing on 22 and 23 October 2008

AND UPON the Tribunal handing down judgment in respect of these proceedings on 24 November 2008 ([2008] CAT 33) (“the Judgment”)

IT IS ORDERED THAT:

1. Under section 195 of the Communications Act 2003 (“the Act”) the appeal be allowed.
2. The Final Determinations be set aside in so far as they conclude that Universal Service Condition 7 (“USC7”) is unlawful.

3. OFCOM re-determine the disputes referred to at paragraphs [3] and [4] of the Judgment in light of the finding that USC7 is lawful.
4. There be liberty to apply.

The Honourable Mr Justice Warren
Chairman of the Competition Appeal Tribunal

Made: 24 November 2008
Drawn: 1 December 2008