

TUESDAY 23RD FEBRUARY 2010

IN THE COURT OF APPEAL order no 15814

ON APPEAL FROM THE OTHER TRIBUNAL

10991208

BEFORE LORD JUSTICE PILL
LORD JUSTICE DYSON
And LORD JUSTICE RICHARDS

B E T W E E N

NATIONAL GRID PLC

APPELLANT

- and -

(1) THE GAS AND ELECTRICITY MARKETS AUTHORITY
(2) CAPITAL METERS LIMITED
(3) SIEMENS PLC
(4) METER FIT (NORTH EAST) LIMITED
(5) METER FIT (NORTH WEST) LIMITED

RESPONDENTS

ON READING the Appellant's Notice sealed on the 14th July 2009 filed on behalf of the Appellant on appeal from the order of The Competition Appeal Tribunal dated 29th April 2009

AND ON HEARING Counsel for the parties

IT IS ORDERED that

1. the appeal is dismissed in respect of abuse but is allowed in part in respect of penalty
2. the Tribunal's decision is varied to the extent of substituting a fine of £15 million for the Tribunal's figure of £30 million
3. the appellant is to pay 75 per cent of the First Respondent's (the Authority's) costs of the appeal to the Court of Appeal, to be subject to detailed assessment if not agreed
4. no order as to costs of the Third Respondent (Siemens)
5. permission to appeal to the Supreme Court is refused

By the Court



Her Majesty's
Court
23 FEB 2010

COURT 70
Appeal No.

C1/2009/1573



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- and -

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AUTHORITY
- (2) CAPITAL METERS LIMITED
- (3) SIEMENS PLC
- (4) METER FIT (NORTH EAST) LIMITED
- (5) METER FIT (NORTH WEST) LIMITED

ORDER

Copies to:

Competition Appeal Tribunal
Victoria House
Bloomsbury Place
London WC1A 2EB

Hill Hofstetter
Dx 714138
Solihull 18
Ref: JONATHAN HOFSTETTER

Ofgem
The Gas & Electricity Markets Authority
9 Millbank
London
SW1P 3GE
Ref: DUNCAN SINCLAIR

Pinsent Masons
Dx 703167
Birmingham 12
Ref: GL/624204.07051

Slaughter & May
One Bunhill Row
London
Ec1y 8yy
Ref: JCC/EAM

United Utilities Plc
Hawes Water House,
Lingley, Mere, Business Park
Ligley Green Avenue
Great Sanky, Warrington
WA5 3LP
Ref: GAVIN YOUNG