

## IN THE COMPETITION APPEAL TRIBUNAL

Case No. 1024/2/3/04

BETWEEN:

# FLOE TELECOM LIMITED (in administration)

**Appellant** 

-V-

#### **OFFICE OF COMMUNICATIONS**

Respondent

supported by

#### **VODAFONE LIMITED**

and

## T-MOBILE (UK) LIMITED

<u>Interveners</u>

## **ORDER**

**UPON** reading the respondent's decision dated 28 June 2005

**AND UPON** reading the appellant's further statement of case lodged with the Tribunal on 19 August 2005

**AND UPON** reading the further Grounds of Intervention submitted by WorldWide Connect UK Limited in support of its application for permission to intervene in the proceedings

**AND UPON** considering the parties' written submissions in advance of the case management conference on 2 November 2005

**AND UPON** hearing the legal representatives of the parties at a case management conference held on 2 November 2005

#### IT IS ORDERED THAT:

- 1. The application by Worldwide Connect UK Limited to intervene in the proceedings out of time be granted subject to the following conditions:
  - a. The Grounds of Intervention submitted by Worldwide Connect UK Limited stand as a statement of intervention;
  - b. The intervention be limited solely to those issues of law identified in the Grounds the Intervention;
  - c. The issue of whether Worldwide Connect UK Limited be granted permission to make oral submissions at the hearing be adjourned until after the parties have filed skeleton arguments for the hearing.
- 2. a further case management conference be listed for 2.00pm on 1 December 2005.
- 3. the main hearing previously fixed for 1 and 2 December 2005 be vacated.
- 4. the matter be listed for a main hearing commencing on 30 January 2006, the time estimate for the hearing to be considered further at the next case management conference.
- 5. costs be reserved.
- 6. there be liberty to apply.

Marion Simmons QC Chairman of the Competition Appeal Tribunal Made: 2 November 2005 Drawn: 15 November 2005