



Neutral citation [2014] CAT 21

IN THE COMPETITION  
APPEAL TRIBUNAL

Case Nos.: 1205/3/3/13  
1206/3/3/13  
1207/3/3/13

Victoria House  
Bloomsbury Place  
London WC1A 2EB

10 December 2014

Before:

THE HONOURABLE MR JUSTICE ROTH

(President)

STEPHEN HARRISON  
PROFESSOR COLIN MAYER

Sitting as a Tribunal in England and Wales

BETWEEN:

**BRITISH TELECOMMUNICATIONS PLC**

Appellant: Case No. 1205/3/3/13

Intervener: Case Nos. 1206-7/3/3/13

**(1) CABLE & WIRELESS WORLDWIDE PLC (2) VIRGIN MEDIA LIMITED  
(3) VERIZON UK LIMITED**

Appellants: Case No. 1206/3/3/13

Interveners: Case No. 1205/3/3/13

**(1) BRITISH SKY BROADCASTING LIMITED (2) TALKTALK TELECOM  
GROUP PLC**

Appellants: Case No. 1207/3/3/13

Interveners: Case No. 1205/3/3/13

- and -

**OFFICE OF COMMUNICATIONS**

Respondent

---

**SUPPLEMENTARY JUDGMENT – AMENDMENT**

---

1. On 4 December 2014, the Tribunal handed down a Supplementary Judgment ([2014] CAT 20) addressing the directions to be given for further disposal of these appeals, costs, and permission to appeal.
2. Following the handing down, it was brought to our attention that in one of the appeals, Case 1206/3/3/13, the successful appellants (the Altnets) had expressly made clear to Ofcom that they would not seek any costs from Ofcom of their appeal. In the light of that, it seems to us that it is not right to order Ofcom to bear any part of the Altnets' costs.
3. Accordingly, by this further ruling we amend the second sentence of paragraph 49 of the Supplementary Judgment to read:

“However, the Altnets made clear that they were not seeking an award of costs against Ofcom. In those circumstances, and for corresponding reasons to those set out above as regards the costs of Sky/TalkTalk, we hold that the Altnets should recover 75% of their costs incurred after 23 May 2013 from BT.”

4. The consequential sub-paragraph 51(f) of the Supplementary Judgment is deleted.

The Honourable  
Mr Justice Roth

Stephen Harrison

Colin Mayer

Charles Dhanowa OBE, QC (Hon)  
Registrar

Date: 10 December 2014