



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

Case Number: 1245/3/3/16

BETWEEN:

**BRITISH TELECOMMUNICATIONS PLC**

Appellant

**-v-**

**OFFICE OF COMMUNICATIONS**

Respondent

**-and-**

**GAMMA TELECOM HOLDINGS LIMITED**  
**SKY UK LIMITED**  
**TALKTALK TELECOM GROUP PLC**  
**VODAFONE LIMITED**

Interveners

---

**ORDER**

---

**UPON** reading the notice of appeal of British Telecommunications Plc (“BT”) relating to the decision made by the Respondent (“OFCOM”) dated 11 November 2015 and entitled “Disputes between BT and each of Gamma and Vodafone in relation to BT’s average porting conveyance charges” (the “Determination”)

**AND UPON** reading the requests for permission to intervene from: (i) Gamma Telecom Holdings Limited (“Gamma”); (ii) Sky UK Limited (“Sky”); (iii) TalkTalk Telecom Group Limited (“TalkTalk”); and (iv) Vodafone Limited (“Vodafone”), collectively “the Interveners”

**AND UPON** Gamma withdrawing its application for a preliminary issue as to the admissibility of Grounds 2(a) and 3 of BT's appeal

**AND UPON** reading the observations and submissions of the parties and those of the Interveners filed in advance of the case management conference

**AND UPON** hearing counsel for the parties and the proposed interveners at a case management conference on 11 February 2016

**IT IS ORDERED THAT:**

**Forum**

1. The appeal be treated as a proceeding in England and Wales

**Interventions**

2. The requests of the Interveners to intervene in the appeal be granted
3. The Interveners be permitted to file statements of intervention, supporting factual evidence and written and oral submissions
4. The Interveners shall liaise as necessary between themselves and OFCOM so as to ensure there is no duplication in their submissions or evidence

**Confidentiality**

5. A confidentiality ring be established by separate order

**Future conduct of the appeal**

6. A hearing be listed for 18 May 2016 with a time estimate of six days
7. In relation to the filing and service of further pleadings in preparation for the hearing:
  - a. by 4pm on 1 March 2016 OFCOM file and serve its defence and any supporting evidence
  - b. by 4pm on 22 March 2016 the Interveners file and serve their respective statements of intervention in support of Ofcom and any supporting evidence
  - c. by 4pm on 12 April 2016 BT file and serve its Reply (if so advised) and any supporting evidence
  - d. by 4pm on 25 April 2016 BT file and serve its skeleton argument
  - e. by 4pm on 3 May 2016 OFCOM file and serve its skeleton argument

- f. by 4pm on 10 May 2016 the Interveners file and serve their skeleton arguments
  - g. by 4pm on 10 May 2016 a joint bundle of authorities is to be filed and served
8. Costs be reserved
  9. There be liberty to apply

**Heriot Currie QC**  
Chairman of the Competition Appeal Tribunal

Made: 12 February 2016  
Drawn: 12 February 2016