



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

Case Number: 1246/8/3/16

B E T W E E N:

**BRITISH TELECOMMUNICATIONS PLC**

Appellant

**-v-**

**OFFICE OF COMMUNICATIONS**

Respondent

**-and-**

**SKY UK LIMITED**

Intervener

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**ORDER**

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**UPON** reading the notice of appeal of British Telecommunications Plc (“BT”) relating to the decision made by the Respondent (“OFCOM”) dated 19 November 2015 and entitled “*Review of the pay TV wholesale must-offer obligation*” (the “2015 Statement”)

**AND UPON** hearing counsel for the parties at the case management conference that took place on 18 February 2016

**AND UPON** a confidentiality ring having been established by order of the Tribunal dated 24 February 2016 ([2016] CAT 1)

**IT IS ORDERED THAT:**

**Forum**

1. The appeal be treated as proceedings in England and Wales

**Interventions**

2. The request by Sky for permission to intervene in support of OFCOM be granted
3. Sky liaise as necessary with OFCOM so as to ensure there is no duplication in pleadings, submissions or evidence

## **Disclosure**

4. Any application by BT for further disclosure be filed and served on the parties and those likely to be affected by such disclosure by 5pm on 4 March 2016
5. Observations from those who object to the application be filed and served by 5pm on 11 March 2016

## **Future conduct of the appeal**

6. In respect of the filing and service of further pleadings:
  - a. BT (if so advised) file and serve a draft amended notice of appeal, with amendments agreed with the other parties where possible, by 5pm on 20 April 2016
  - b. OFCOM file and serve its defence by 5pm on 13 May 2016
  - c. Sky file and serve its statement of intervention in support of OFCOM by 5pm on 3 June 2016
  - d. BT file and serve its reply by 5pm on 28 June 2016
7. A further case management conference be listed for 7 July 2016
8. In respect of skeleton arguments:
  - a. BT file and serve its skeleton argument by 5pm on 2 September 2016
  - b. OFCOM file and serve its skeleton argument by 5pm on 9 September 2016
  - c. Sky file and serve its skeleton argument by 5pm on 16 September 2016
9. Five sets of a hearing bundle and any bundle of authorities be filed by 5pm on 23 September 2016
10. A hearing with a time estimate of a maximum of ten days be listed from 3 to 14 October 2016
11. Costs be reserved
12. There be liberty to apply.