



**IN THE COMPETITION  
APPEAL TRIBUNAL**

Case: 1026/2/3/04

**B E T W E E N :**

**WANADOO UK PLC  
(formerly FREESERVE.COM PLC)**

Appellant

-v-

**OFFICE OF COMMUNICATIONS**

Respondent

-supported by-

**BT GROUP PLC**

Intervener

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**ORDER**

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**UPON** considering a decision by the Office of Communications dated 2 November 2010 which concluded that the conduct of BT Group plc did not constitute an abuse of its dominant position and that there were therefore no grounds for action under the Competition Act 1998

**AND UPON** considering the request by Everything Everywhere Limited, as the successor business of Wanadoo UK plc, to withdraw the appeal and the observations of BT Group plc and the Office of Communications

**IT IS ORDERED THAT:**

1. Pursuant to rule 12(1) of The Competition Appeal Tribunal Rules 2003 (SI 2003 No. 1372), the Appellant be granted permission to withdraw the appeal
2. There be no order as to costs

**Vivien Rose**  
Chairman of the Competition Appeal Tribunal

Made: 16 December 2010  
Drawn: 16 December 2010