



IN THE COMPETITION
APPEAL TRIBUNAL

Case Numbers: 1180/3/3/11
1181/3/3/11
1182/3/3/11
1183/3/3/11

B E T W E E N :

BRITISH TELECOMMUNICATIONS PLC
EVERYTHING EVERYWHERE LIMITED
HUTCHISON 3G UK LIMITED
VODAFONE LIMITED

Appellants / Interveners

- v -

OFFICE OF COMMUNICATIONS

Respondent

-and-

TELEFÓNICA UK LIMITED

Intervener

ORDER

UPON considering the Competition Commission's determination of 9 February 2012 ("the Determination")

AND UPON considering the Tribunal's Order made following the case management conference on 10 February 2012 ("the earlier Order")

AND UPON hearing the parties' legal representatives at a case management conference on 24 February 2012

IT IS ORDERED THAT:

1. Paragraph 3 of the earlier Order be replaced with the following:

"3. (a) By 12pm on 26 March 2012, the Competition Commission file and serve its response, in the form of a skeleton argument, together with any supporting evidence.

3(b) By 12pm on 27 March 2012, any other party who wishes to respond to the section 193(7) challenges file and serve their response, in the form of a skeleton argument, together with any supporting evidence."

2. Paragraph 4 of the earlier Order be replaced with the following:

“4. If so advised, any written submissions in reply to the responses filed pursuant to paragraph 3 of the earlier Order be filed and served by 4pm on 30 March 2012.”
3. Each party shall send to the Tribunal Registry electronic versions (in Word format) of the documents for which they are responsible under paragraphs 2 to 4 of the earlier Order (as amended) by the deadline set in those paragraphs.
4. The main hearing be listed to commence on 3 April 2012 with a time estimate of two days, with one day in reserve.
5. Excluding any time taken up dealing with questions from the Tribunal, the following time limits shall apply to oral submissions:
 - (a) A maximum of four hours for opening submissions by those parties challenging the Determination (to be allocated as agreed between those parties, subject always to paragraph 6 below).
 - (b) A maximum of four hours for submissions by those parties responding to the case put by the parties challenging the Determination (to be allocated as agreed between those parties, subject always to paragraph 6 below).
 - (c) A maximum of two hours to make any reply by those parties challenging the Determination (to be allocated as agreed between those parties, subject always to paragraph 6 below).
6. Liberty to apply.

Marcus Smith QC
Chairman of the Competition Appeal Tribunal

Made: 24 February 2012
Drawn: 24 February 2012