



IN THE COMPETITION
APPEAL TRIBUNAL

B E T W E E N :

Case No.: 1261/3/3/16

CITYFIBRE INFRASTRUCTURE HOLDINGS PLC (“CityFibre”)

Appellant

- and -

OFFICE OF COMMUNICATIONS (“Ofcom”)

Respondent

- and -

BRITISH TELECOMMUNICATIONS PLC
CP GROUP (COLT TECHNOLOGY SERVICES, TALKTALK TELECOM GROUP
PLC HUTCHINSON 3G UK LIMITED AND VODAFONE LIMITED)
GAMMA TELECOM HOLDINGS LTD

Interveners

ORDER

UPON the Tribunal making an order on 17 November 2016 referring to the Competition and Markets Authority (the “CMA”) a specified price control matter arising in these proceedings, set out in Grounds 3 and 4(b) of CityFibre’s Notice of Appeal (the “Specified Price Control Matter”)

AND UPON the Tribunal making an order on 10 March 2017 extending the time for determining the Specified Price Control Matter

AND UPON the CMA notifying the Tribunal on 7 April 2017 of its determination of the Specified Price Control Matter (the “Determination”)

IT IS ORDERED THAT:

1. Grounds 3 and 4(b) of CityFibre's appeal be dismissed.
2. CityFibre pay Ofcom's reasonable costs in relation to the Specified Price Control Matter, the amount payable to be assessed if not agreed.

The Honourable Mr Justice Snowden
Chairman of the Competition Appeal Tribunal

Made: 29 June 2017
Drawn: 29 June 2017