



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No. 1027/2/3/04

BETWEEN:

**VIP COMMUNICATIONS LIMITED
(in administration)**

Appellant

-v.-

OFFICE OF COMMUNICATIONS

Respondent

supported by

T-MOBILE (UK) LIMITED

Intervener

ORDER

UPON considering the appellant's "Re-amended Notice of Appeal" filed on 23 October 2006 and the witness statements filed in support of the Re-amended Notice of Appeal

AND UPON considering the appellant's and respondent's submissions on the application of Rules 8, 10, 11 and 63 of the Competition Appeal Tribunal Rules 2003 (SI 2003/1372) ("the Tribunal Rules") filed on 25 October 2006

AND UPON considering the intervener's submissions on the application of Rules 8, 10, 11 and 63 of the Tribunal Rules filed on 26 October 2006

AND UPON considering the parties supplemental submissions filed on 31 October 2006

AND UPON hearing counsel for the parties at a case management conference on 1 November 2006

IT IS ORDERED THAT:

1. The appellant file and serve a proposed re-amended notice of appeal by 5.00pm on 8 November 2006.

2. The respondent file and serve submissions on the proposed re-amended notice of appeal by 5.00pm on 22 November 2006.
3. The intervener file and serve submissions on the proposed re-amended notice of appeal by 5.00pm on 22 November 2006.
4. The appellant file and serve submissions in reply, if so advised, by 5.00pm on 6 December 2006.
5. The issues arising from the proposed re-amended notice of appeal be considered at the hearing fixed for 13 December 2006.
6. The deadline for filing the defence and the statement of intervention in these proceedings pursuant to the Order made on 13 September 2006, as amended by the Orders made on 9 October 2006 and 18 October 2006, be extended until further Order.
7. Pursuant to Rule 55 of the Tribunal Rules, the appellant pay the respondent's reasonable costs thrown away by the provision by the appellant on 23 October 2006 of a document headed "Re-Amended Notice of Appeal", to be subject to detailed assessment by the Tribunal if not agreed.
8. There be permission to apply.

Marion Simmons QC
Chairman of the Competition Appeal Tribunal

Made: 1 November 2006
Drawn: 17 November 2006