



**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 the Tribunal having stayed the appeal by an Order made on 20 September 2005 pending judgment in case 1024/2/3/04 *Floe Telecom Limited (in liquidation) v Office of Communications* (“the Floe Telecom case”)

AND UPON the Tribunal having handed down judgment in the Floe Telecom case ([2006] CAT 17) on 31 August 2006

AND UPON the Tribunal having lifted the stay on proceedings by an Order made on 13 September 2006

AND UPON the Office of Communications (“Ofcom”) and T-Mobile (UK) Limited (“T-Mobile”) having submitted applications to the Court of Appeal for permission to appeal against the Tribunal’s judgment in the Floe Telecom case

AND UPON the Court of Appeal at an oral hearing on 19 June 2007 having granted Ofcom and T-Mobile permission to appeal against the Tribunal’s judgment in the Floe Telecom case

AND UPON considering the observations of T-Mobile as contained in their letter dated 25 June 2007 and the observations of Ofcom and VIP Communications Limited as contained in their letters dated 26 June 2007 as to whether the hearing fixed for 4, 5 and 6 July 2007 should proceed

IT IS ORDERED THAT:

1. The hearing fixed for 4, 5 and 6 July 2007 be vacated.
2. The appeal be stayed generally until 21 days from the handing down of the judgment of the Court of Appeal in the Floe Telecom case.
3. Costs be reserved.
4. There be permission to apply.

Marion Simmons QC
Chairman of the Competition Appeal Tribunal

Made: 28 June 2007
Drawn: 28 June 2007