



IN THE COMPETITION
APPEAL TRIBUNAL

Case: 1076/2/5/07

B E T W E E N:

E.ON UK plc

Appellant

-and-

OFFICE OF RAIL REGULATION

Respondent

-and-

ENGLISH WELSH AND SCOTTISH RAILWAY LIMITED

Intervener

ORDER

UPON considering the decision of the respondent issued on 17 November 2006 and the appellant's notice of appeal dated 17 January 2007

AND UPON reading the letter from the appellant's solicitors of 20 December 2007 containing a request for permission to withdraw its notice of appeal pursuant to Rule 12 of the Competition Appeal Tribunal Rules 2003 (S.I. 2003, No. 1372)

AND UPON the Tribunal Registry writing to the parties on 20 December 2007 in relation to the appellant's request

AND UPON reading the letters in response from the intervener of 21 December 2007 and the respondent's solicitors of 7 January 2008

IT IS ORDERED THAT:

1. The stay on proceedings imposed by virtue of the Tribunal's Order of 27 June 2007 be lifted
2. The appellant be granted permission to withdraw its appeal pursuant to Rule 12
3. There be no order for costs

The Honourable Mr Justice Barling
President of the Competition Appeal Tribunal

Made: 7 January 2008
Drawn: 7 January 2008