



IN THE COMPETITION
APPEAL TRIBUNAL

Case: 1076/2/5/07

Before:
The Honourable Mr Justice Pumfrey
Peter Clayton
Professor Paul Stoneman

B E T W E E N:

E.ON UK plc

Appellant

-v-

OFFICE OF RAIL REGULATION

Respondent

And

ENGLISH WELSH AND SCOTTISH RAILWAY LIMITED

Intervener

ORDER

UPON considering the appellant's letter of 22 June 2007 informing the Tribunal that the Court of Appeal has granted it permission to appeal against the judgment of the Commercial Court in *English Welsh & Scottish Railway Ltd v E.ON UK Plc & Anor* [2007] EWHC 599 (Comm) (the "Appeal")

AND UPON the appellant stating in that letter that it is content for the case management conference listed for 23 July 2007 to be adjourned

AND UPON considering the observations of the respondent filed on 25 June 2007 and its request that the Tribunal should stay the proceedings pending the final outcome of the Appeal

AND UPON considering the procedural timetable for the proceedings pursuant to the Tribunal's Order of 4 April 2007

IT IS ORDERED THAT:

1. The case management conference previously fixed for 23 July 2007 be vacated
2. The appeal is stayed generally until further order

3. There be liberty to apply

4. Costs be reserved

The Honourable Mr Justice Pumfrey
Chairman of the Competition Appeal Tribunal

Made: 27 June 2007
Drawn: 28 June 2007