



**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 procedural timetable for the proceedings pursuant to the Tribunal's Order of 19 February 2007;

AND UPON considering the submissions of the parties as to the implications of the judgment of the Commercial Court in *English Welsh & Scottish Railway Ltd v E.ON UK Plc & Anor* [2007] EWHC 599 (Comm) on the proceedings before the Tribunal;

AND UPON a case management conference having been listed for 4 April 2007 to consider the future conduct of the proceedings

IT IS ORDERED THAT:

1. The time for filing the parties' skeleton arguments be extended until further order
2. There be liberty to apply.

The Honourable Mr Justice Pumfrey
Chairman of the Competition Appeal Tribunal

Made: 29 March 2007
Drawn: 2 April 2007