



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case: 1083/3/3/07

B E T W E E N:

HUTCHISON 3G UK LIMITED

Appellant

-v-

OFFICE OF COMMUNICATIONS

Respondent

supported by

02 (UK) LIMITED

T-MOBILE (UK) LIMITED

VODAFONE LIMITED

ORANGE PERSONAL COMMUNICATIONS SERVICES LIMITED

BRITISH TELECOMMUNICATIONS PLC

Interveners

ORDER

UPON reading the witness statement of Mr Geoffrey Richard Plat Myers filed by the Respondent on 30 November 2007 with its Defence

AND UPON reading the application by Hutchison 3G UK Limited (“H3G”) dated 14 December 2007 for permission to file further evidence in response to the witness statement of Mr Myers

AND UPON reading the observations filed by OFCOM, BT and T-Mobile in respect of H3G’s application

AND UPON the Tribunal hearing counsel for the parties on the issue of the setting up of a proposed combined confidentiality ring for these proceedings and other related proceedings at a case management conference on 17 December 2007

AND UPON reading the application dated 18 December 2007 by Vodafone Limited for permission to amend its statement of intervention so as to delete and/or amend certain confidential information which Vodafone does not intend to rely on in the proceedings before the Tribunal and which it does not wish to disclose to the other parties

AND UPON no party objecting to the application by Vodafone

AND UPON reading the further letter from Baker & McKenzie dated 21 December 2007 in which H3G requests permission to remove from one of the annexes to its notice of appeal served on the Tribunal and OFCOM copies of a CD containing certain confidential financial information which H3G does not intend to rely on in the proceedings before the Tribunal and which it does not wish to disclose to the other parties

IT IS ORDERED THAT:

1. H3G be granted permission to file further evidence in response to the witness statement of Mr Myers, any such evidence to be filed and served by 5.00pm on 21 December 2007.
2. Vodafone be granted permission to amend its statement of intervention in the manner set out in its application of 18 December 2007.
3. H3G be granted permission to remove from its notice of appeal the CD which was included with Annex 9 of that notice when it was filed with the Tribunal and served on the Respondent.
4. There be permission to apply.

Vivien Rose
Chairman of the Competition Appeal Tribunal

Made: 21 December 2007
Drawn: 21 December 2007