



**IN THE COMPETITION
APPEAL TRIBUNAL**

Cases No: 1083/3/3/07

B E T W E E N

HUTCHISON 3G UK LIMITED

Appellant

-v-

OFFICE OF COMMUNICATIONS

Respondent

-and-

BRITISH TELECOMMUNICATIONS PLC

O2 (UK) LIMITED

T-MOBILE (UK) LIMITED

VODAFONE LIMITED

ORANGE PERSONAL COMMUNICATIONS SERVICES LIMITED

Interveners

ORDER

UPON considering the Notice of Appeal filed by Hutchison 3G UK Limited (“H3G”) on 23 May 2007

AND UPON hearing counsel for the parties at an oral hearing held between 24 January 2008 and 5 February 2008

AND UPON considering the Tribunal's judgment on non price control matters handed down on 20 May 2008 ([2008] CAT 11)

IT IS ORDERED THAT:

1. H3G's appeal against the finding of significant market power in the Reassessment Statement be dismissed;
2. H3G's appeal against the 2007 Statement be dismissed in so far as it comprises matters which are not specified price control matters;
3. Costs be reserved;
4. There be permission to apply.

Vivien Rose
Chairman of the Competition Appeal Tribunal

Made: 20 May 2008
Drawn: 21 July 2008