



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case: 1099/1/2/08

B E T W E E N:

NATIONAL GRID PLC

Appellant

-v-

GAS AND ELECTRICITY MARKET AUTHORITY

Respondent

Supported by:

**CAPITAL METERS LIMITED
SIEMENS PLC
METER FIT (NORTH EAST) LIMITED
METER FIT (NORTH WEST) LIMITED**

Interveners

ORDER

UPON considering the Tribunal's Order of 23 May 2008 granting the Appellant's request to issue a witness summons to each of Mr Neil Avery and Mr David James to attend the hearing listed for 15 January 2009

AND UPON reading the correspondence from the Appellant dated 7 January 2009

IT IS ORDERED THAT:

1. The time limit referred to in rule 23(3)(a) Competition Appeal Tribunal Rules 2003 (S.I. No. 1372 of 2003) (“the Tribunal Rules”) be abridged to not less than one day before the date specified in the Summonses on which the attendance of Mr Avery and Mr James is required.
2. Pursuant to rule 63(3) of the Tribunal Rules, the Summonses and a copy of this Order shall be served on Mr Avery and Mr James by the Registrar by post using the Royal Mail’s ‘Special Delivery’ service. The Summonses shall be treated as having been served on 13 January 2009.
3. The Appellant shall pay to Mr Avery and Mr James the sum referred to in rule 23(3)(b) of the Tribunal Rules being:
 - a. sufficient to cover their travelling expenses to and from the Tribunal and for loss of time; and
 - b. such additional sum (if any) as would be recoverable by Mr Avery and Mr James in respect of their attendance in proceedings before the Supreme Court of England and Wales.
4. The Appellant shall certify that the sum referred to in paragraph (3) above was paid or offered to Mr Avery and Mr James in accordance with the terms of the Summonses.
5. There be liberty to apply.

Vivien Rose
Chairman of the Competition Appeal Tribunal

Made: 12 January 2009
Drawn: 12 January 2009