



**IN THE COMPETITION APPEAL
TRIBUNAL**

Cases: 1102/3/3/08
1103/3/3/08

BETWEEN:

T-MOBILE (UK) LIMITED

Appellant

- supported by -

HUTCHISON 3G UK LIMITED

Intervener

-v-

OFFICE OF COMMUNICATIONS

Respondent

TELEFÓNICA O2 UK LIMITED

Appellant

-v-

OFFICE OF COMMUNICATIONS

Respondent

ORDER

UPON the Tribunal determining that it does not have jurisdiction to hear these appeals under section 192 of the Communications Act 2003 for the reasons set out in the judgment handed down on 10 July 2008 ([2008] CAT 15) (“the Judgment”)

AND UPON considering the requests for permission to appeal from the Judgment made on 25 July 2008 by Telefónica O2 UK Limited (“O2”) and T-Mobile (UK) Limited (“T-Mobile”)

AND UPON considering the written observations of the Office of Communications opposing O2’s and T-Mobile’s requests for permission to appeal dated 30 July 2008

AND UPON the Tribunal ruling that the requests for permission to appeal be refused on 3 September 2008 ([2008] CAT 21)

IT IS ORDERED THAT:

1. O2's and T-Mobile's requests for permission to appeal dated 25 July 2008 are refused.
2. Costs be reserved.

Vivien Rose
Chairman of the Competition Appeal Tribunal

Made: 3 September 2008
Drawn: 4 September 2008