



**IN THE COMPETITION  
APPEAL TRIBUNAL**

Case No: 1112/3/3/09

**BETWEEN**

**CABLE & WIRELESS UK**

Appellant

- v -

**OFFICE OF COMMUNICATIONS**

Respondent

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**ORDER**

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**UPON** reading the notice of appeal lodged by Cable & Wireless UK under rule 8 of the Competition Appeal Tribunal Rules 2003 (S.I. No. 1372 of 2003) (“the Tribunal Rules”) on 2 September 2009

**AND UPON** reading the requests for permission to intervene from British Telecommunications plc (“BT”) dated 22 September 2009 and Verizon UK Limited (“Verizon”) dated 28 September 2009

**AND UPON** hearing the legal representatives of the parties and proposed interveners at a case management conference on 1 October 2009

**IT IS ORDERED THAT:**

1. Pursuant to rule 18 of the Tribunal Rules the proceedings be treated as proceedings in England and Wales
2. BT and Verizon be granted permission to intervene in the proceedings
3. In relation to the proceedings before the Tribunal:
  - a. OFCOM file and serve their Defence by 10am on 16 November 2009
  - b. The Interveners file and serve their respective Statements of Intervention by 10am on 30 November 2009

- c. The parties provide to the Tribunal by 5pm on 4 December 2009 an agreed draft of the questions to be referred to the Commission for determination in accordance with section 193 of the Communications Act 2003 and rule 5 of The Competition Appeal Tribunal (Amendment and Communications Act Appeals) Rules 2004 (SI 2004 No. 2068) or, in the absence of such agreement, inform the Tribunal of the outstanding issues for the Tribunal to resolve
4. There be liberty to apply

**Vivien Rose**  
Chairman of the Competition Appeal Tribunal

Made: 1 October 2009  
Drawn: 1 October 2009