



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1281/3/3/18

BETWEEN:

BRITISH TELECOMMUNICATIONS PLC

Appellant

-v-

OFFICE OF COMMUNICATIONS

Respondent

ORDER

UPON reading the notice of appeal filed by the Appellant relating to Section 6 of the statement of the Respondent dated 23 November 2017 and entitled “Temporary SMP conditions in relation to business connectivity services” (the “Statement”)

AND UPON the Appellant indicating to the Tribunal and Respondent in its Notice of Appeal that the action should be stayed pending the Respondent’s consideration of the Appellant’s representations and new material which have been supplied to the Respondent since certain Minimum Service Level obligations were imposed on the Appellant in Section 6 of the Statement.

AND UPON the Appellant applying on 25 January 2018 for a stay of the proceedings for four weeks pursuant to Rule 19(2)(n) of the Competition Appeal Tribunal Rules 2015 (SI 2015 No. 1648) (the “Tribunal Rules”)

AND UPON considering the written representations from the Respondent dated 1 February 2018 and from the Appellant dated 2 February 2018

IT IS ORDERED THAT:

1. The appeal be stayed for six weeks until 21 March 2018.
2. The time for filing requests to intervene pursuant to Rules 14(3)(f) and 16 of the Tribunal Rules be extended until three weeks after the lifting of the stay.

3. There be liberty to apply.

REASONS

The Respondent submitted that four weeks' stay is insufficient as its administration process is likely to take longer. The Appellant is concerned to avoid a stay of indefinite duration. In these circumstances a stay of six weeks appears reasonable.

The Hon Mr Justice Roth
President of the Competition Appeal Tribunal

Made: 7 February 2018
Drawn: 7 February 2018