

**Investigation under sections 131 and 133 Enterprise Act 2002 into
the supply of airport services by BAA**

In January 2008 the Competition Commission (CC) carried out a tender process to identify a firm of consultants to undertake a strategic review of options identified by BAA at Stansted Airport as part of the proposed Generation 2 (G2) development. The CC became concerned that there may have been interference in the tendering and appointment process and initiated a second tender process in late January. The CC takes any suggestion of interference in the discharge of its functions very seriously.

The CC made inquiries of BAA and certain consultants to determine what had happened in the first tender process and in particular to ascertain whether there had been any interference with the CC in the exercise of its functions. As part of those inquiries, BAA was asked to carry out an internal review of its contact with the consulting firms short-listed by the CC. As a consequence of BAA's review, the CC saw evidence of behaviour that could be interpreted as constituting an interference with the CC's first tender.

BAA has assured the CC that the behaviour was an isolated incident involving one employee of BAA unconnected with the BAA regulatory or G2 teams which was in no way authorized, encouraged or condoned by the senior management of BAA. The CC has sought and received assurances from BAA concerning BAA's further conduct in the inquiry and BAA's operating and compliance procedures.

BAA has cooperated with the CC throughout and the CC has now concluded its inquiries into this matter.