



News Release

52/09

1 December 2009

CAT REFERS BROADBAND APPEAL TO CC

The Competition Appeal Tribunal (CAT) has referred part of an appeal by Carphone Warehouse to the Competition Commission (CC). The reference is about the prices that Ofcom permits Openreach, a separate division of BT Group, to charge for access to its wholesale telecoms services.

The charges in question are for renting lines from Openreach which delivers voice and broadband services to homes and businesses over its copper wire network (commonly known as the 'local loop'). The charges cover the period May 2009 to March 2011. (Ofcom announced these in May 2009—see release: www.ofcom.org.uk/media/news/2009/05/nr_20090522.)

Carphone Warehouse is challenging these charges on a number of grounds. For more details, please visit the CAT's [website](#).

Under the 2003 Communications Act, if decisions by Ofcom are appealed to the CAT and include a price control matter, then this matter must be referred to the CC for determination. The CC has until 1 June 2010 to determine the pricing issues.

Notes to editors

1. The CC is an independent public body, which carries out investigations into mergers, markets and the regulated industries.
2. The CAT hears appeals against decisions made by the Office of Fair Trading, the CC and sectoral regulators such as Ofcom.
3. Openreach was launched in 2006 arising from Ofcom's 'Strategic Review of Telecommunications.' Since 2006, Ofcom has set the prices which Openreach can charge so that its wholesale services are available to other communications providers on an equivalent basis to BT.
4. Enquiries should be directed to Rory Taylor or John Park on 020 7271 0242 (email press@cc.gsi.gov.uk).