

## **NOTE TO THIRD PARTIES**

The Competition and Markets Authority (CMA) received two notices of appeal on Monday 2 March 2015 relating to the decision of the Gas and Electricity Markets Authority, published on 3 February 2015, to modify the electricity distribution licences of 10 Distribution Network Operators (DNOs). One notice is from an electricity distribution company seeking to appeal against the modification to its licence; the other is from an electricity supplier seeking to appeal the decision to modify the licences of the 10 DNOs. The CMA must now decide whether to grant permission to appeal in these two appeals in accordance with the timescales set out in the Act and as described in paragraphs 3.18 to 3.25 of our [Guidance](#).

As we note in our Guidance, should permission be granted in either or both appeals, we recognize that interested third parties should be afforded the opportunities to submit views or respond to the grounds of appeal, as appropriate, having regard to the nature of their interest. We also note the overriding objective of the Rules to enable us to dispose of appeals fairly and efficiently within the time periods prescribed by the Acts.

With this in mind, interested third parties considering whether to make submissions are invited to explore with others with whom their interest may be aligned, whether they should file a collective submission representing the views of those parties. Further, in the event that permission is granted, the CMA may issue directions to ensure the efficient disposal of the appeal and to avoid unnecessary duplication or repetition, including directions that will curtail the nature or length of the submissions.

In any event, in accordance with our Guidance, any interested third party considering whether to make submissions in either or both of these appeals are asked to advise the CMA at the earliest opportunity that it is considering doing so. Non-confidential versions of the two notices of appeal are available on the [Northern Powergrid](#) and [British Gas Trading](#) case pages respectively.