

REFERENCE RELATING TO THE ANTICIPATED ACQUISITION BY BT GROUP PLC OF EE LIMITED

Notice of provisional findings made under Rule 11.3 of the Competition and Markets Authority Rules of Procedure for Merger, Market and Special Reference Groups¹

1. On 9 June 2015, the Competition and Markets Authority (CMA), in exercise of its duty under section 33(1) of the Enterprise Act 2002 (the Act), made a reference to its chair for the constitution of a group (the inquiry group) under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 in order that the inquiry group may investigate and report on the anticipated acquisition by BT Group plc of EE Limited within a period ending on 23 November 2015. The inquiry group has today published a notice of extension under section 39(3) of the Act such that the period for investigating and reporting now ends on 18 January 2016.

Provisional findings

2. The inquiry group appointed to consider this reference has made the following provisional findings on the statutory questions it has to decide pursuant to section 36(1) of the Act:
 - (a) arrangements are in progress or in contemplation which, if carried into effect, will result in the creation of a relevant merger situation; and
 - (b) the creation of that situation may not be expected to result in a substantial lessening of competition within any market or markets in the UK for goods or services.
3. The inquiry group's reasons are set out in full in the provisional findings report and are summarised in the summary of the provisional findings report (see note below).

The next steps

4. Anyone wishing to comment on the provisional findings is now invited to provide the inquiry group with their reasons in writing as to why these

¹ *Rules of procedure for merger, market and special reference groups: CMA17.*

provisional findings should not become final (or, as the case may be, should be varied).

5. These reasons should be received by the Project Manager on behalf of the inquiry group by no later than 5pm on 19 November 2015.
6. The inquiry group will have regard to any such reasons in making its final decisions on the statutory questions and actions.

(signed) John Wotton
Group Chair
28 October 2015

Note: A copy of this notice and a summary of the provisional findings report will be placed on the [CMA webpages](#) on 28 October 2015. The published version of the provisional findings report will be published as soon as possible after that and will not contain any information which the inquiry group considers should be excluded from the report, having regard to the three considerations set out in section 244 of the Act. These omissions are indicated by [✂].

Comments should be made by email to BT.EE@cma.gsi.gov.uk or in writing to:

Project Manager
BT/EE merger inquiry
Competition and Markets Authority
Victoria House
Southampton Row
LONDON
WC1B 4AD