

NOTICE OF THE COLLECTIVE PROCEEDINGS ORDER:

This is a legal notice that has been issued at the direction of the Competition Appeal

Tribunal In Case No 1381/7/7/21

IF YOU HAD A RESIDENTIAL LANDLINE ('HOME PHONE') SERVICE FROM BT ANY TIME FROM OCTOBER 2015 TO 8 DECEMBER 2023, YOUR RIGHTS MAY BE AFFECTED BY A COLLECTIVE ACTION.

- This notice contains information about the collective action that may affect you.
- The collective action has been filed on behalf of certain people who had a residential landline service from BT in the UK between October 2015 and 8 December 2023, who may have a claim against BT for compensation.
- At this stage, it is important that you understand your legal rights related to this claim. Your legal rights may be affected by this action whether you act or you don't act, so please read this notice carefully for information about your rights and the deadlines to act.
- This notice explains what the collective action is about, who might be eligible to receive a payment, your rights as an affected customer of BT, or as the appointed personal representative (the umbrella term for an executor or administrator) of the estate of an affected customer, what action you need to take (if any), and the deadlines that apply.
- To read the Competition Appeal Tribunal's full [Collective Proceedings Order](#) which allows the collective action to go ahead, visit www.callclaim.co.uk. or <https://www.catribunal.org.uk/cases/13817721-justin-le-patourel>. The [Collective Proceedings Order](#) is also attached to this Notice.

Summary of Notice

This notice contains information about a court case that may affect you. Your legal rights may be affected whether you act or you don't act, so please read this notice carefully.

The Competition Appeal Tribunal (the "Tribunal") has made a [Collective Proceedings Order](#) authorising Mr Justin Le Patourel to proceed with a collective action against BT Group Plc and British Telecommunications Plc ("BT"). The terms of the [Collective Proceedings Order](#) are set out later in this notice. In a collective action, a claim is brought by a representative (called a class representative) on behalf of a large number of individuals who group together to seek compensation for their losses. Together the group of people make up a class.

In these collective proceedings, Mr Le Patourel has been appointed to act as the class representative for certain people who had a residential landline ('home phone') service from BT in the UK at any time between October 2015 and 8 December 2023 (please see paragraph 7 of the General Information section of this notice for further details and the attached [Collective Proceedings Order](#)), who may have a claim against BT for compensation.

If you are one of these people or the personal representative (executor or administrator) of their estate and you were domiciled in the UK on 27 September 2021, and you have not already opted out of the proceedings, then you are currently a class member and will be bound by the Tribunal's judgment deciding the outcome of the case. However, as set out below, if you purchased a relevant service from BT after 19 May 2022, you may opt out of the proceedings by making a request to do so by Friday 26 January 2024.

This collective action has been brought on the basis that BT has abused a position of dominance and charged its customers excessive prices for the landline services, in breach of the Competition Act 1998. The action brought by Mr Le Patourel is about seeking compensation for BT customers who were overcharged for their landline services as a result of BT's breach of the law.

If the case results in a judgment against BT or a settlement, members of the class may be eligible to receive compensation. If compensation becomes available, details on how to get it and how it will be calculated will be provided at that time. Whatever the outcome of the case, class members will not have to pay anything.

It will be for the Tribunal to decide whether BT has overcharged class members and if so, by how much. Unless you have already opted out (or, if eligible, decide to opt out by Friday 26 January 2024), then you will be bound by any judgment the Tribunal makes in the proceedings and the amount of compensation that you are entitled to will be limited to what the Tribunal decides, and no more. If the Tribunal decides that class members are not entitled to any compensation, and you have not chosen to opt out, then you will not be able to seek compensation from BT by any other route.

The Tribunal originally directed that individuals wishing to opt out of the claim needed to do so by 14 April 2022, and this was later extended until 11 November 2022. Following a recent hearing in the case, the Tribunal has directed that there be a further period within which class members who purchased a relevant service from BT after 19 May 2022 may opt out of the claim. The new deadline for opting out is Friday 26 January 2024, just before the trial starts on Monday 29 January 2024.

Therefore, if you purchased a relevant service from BT after 19 May 2022, you may want to opt out if you would prefer to bring a separate claim against BT to seek compensation for the overcharges. A more detailed explanation of how to opt out of the case appears at paragraph 15 on page 8 below. Any requests to opt out must be received by no later than 26 January 2024 and can be made online, by email or by post. See paragraph 15 at page 8 below.

Personal representatives (executors or administrators) of the estates of individuals who purchased a relevant service from BT after 19 May 2022 but did not opt out before their passing, will also be able to opt-out of the claim on behalf of those estates if they were domiciled in the UK on 27 September 2021.

A Summary of Your Rights and Choices:

Please read this notice carefully.

Your legal rights may be affected whether you act or you don't act.

YOU MAY:	YOUR LEGAL RIGHTS AND CHOICES EXPLAINED	DEADLINE
<p>Do nothing and remain in the collective action</p>	<p>You do not need to do anything if you were living in the UK on 27 September 2021 and you:</p> <ul style="list-style-type: none"> (i) had a BT landline service at any time between October 2015 and April 2018*, but did not receive a broadband service (from BT or any other provider) - Landline-Only Customer [1]; or (ii) had a BT landline service and also a broadband service (from BT or any other provider), at any time between October 2015 and 8 December 2023, but these services were not packaged together as part of a landline and broadband bundle – Unbundled Customers [2] <p>*Note: different dates apply if you are a Landline-Only Customer who used your landline for business purposes. Please see below FAQs for further information.</p> <p>If you are a personal representative (the executor or the administrator) of the estate of a Landline-Only Customer or an Unbundled Customer, and you wish for the estate to remain within the claim, then you also do not need to do anything.</p> <p>You are excluded if you are a:</p> <ul style="list-style-type: none"> - BT customer who took a landline service aimed at business users; - BT Basic or BT Home Phone Saver customer; - individual living in the Hull area as this area is supplied by KCOM Group Ltd and not BT; - individual who did not purchase any landline services from BT before 8 December 2023. <p>In addition, if you purchased landline services from BT after 1 October 2015 but stopped doing so before 8 December 2023, any purchases of landline services from BT that you resume making after 8 December 2023 are not included within this</p> <p>By doing nothing at this time, you will be included in the collective action and may benefit from any eventual money/compensation which results from this collective action (unless you have already opted out). You will not be liable for any costs. However, you will also give up the right to make your own claim against BT in respect of the legal claims in this collective action and you agree to be bound by judgments issued by the Tribunal in this case.</p> <p>Although you do not need to contact us to be included in the action, we recommend that you get in touch to provide your contact details so that we can keep you informed about the progress of the case.</p>	<p>None</p>
<p>Opt Out of the collective action</p>	<p>If you purchased a relevant service from BT after 19 May 2022 but before 8 December 2023 but you do not wish to be part of the claim, then you must opt out by post, email, or via the website, by 26 January 2024. Further details of how to opt out of the case can be found at paragraph 15 on page 8 below.</p> <p>Requests to opt out must be received by 26 January 2024.</p>	<p>26 January 2024</p>

¹ Also known as "Voice Only Customers"

² Also known as "Split Purchase Customers"

Details on how to sign up for updates or opt out are available at www.callclaim.co.uk. You may also call the freephone number 0333 212 1617 to receive more information.

GENERAL INFORMATION

1. Why has this Notice been issued?

The Competition Appeal Tribunal originally directed that a notice be issued by the class representative (Mr Justin Le Patourel) following a Collective Proceedings Order made on 19 October 2021, allowing the claim to proceed as a collective action on behalf of eligible BT customers. To read the original Collective Proceedings Order, visit www.callclaim.co.uk or <https://www.catribunal.org.uk/cases/13817721-justin-le-patourel>. The original notice can also be viewed www.callclaim.co.uk.

The original Collective Proceedings Order defined the class to cover individuals who purchased 'unbundled' services (i.e. a landline service from BT and a separate broadband service from BT or another provider) in the period between 1 October 2015 and the date of judgment or settlement of the claims. In line with a recent judgment in a different case [3], the Tribunal has recently revised the class definition in the present case so that it only covers individuals who made some purchases of landline services from BT in the period prior to 8 December 2023. As a result of this amendment to the class definition, the Tribunal considered it appropriate to direct a short further opt-out period, for those who purchased relevant services from BT after 19 May 2022, expiring on Friday 26 January 2024, just before the commencement of the trial on Monday 29 January 2024.

The purpose of this notice is to inform you of important legal rights you have related to this collective action. Exercising these rights could affect your ability to get a payment in the future if the case is won and money becomes available, as if you opt out you will not be able to benefit. This notice explains what the claim is about, who might be eligible to receive a payment, your rights, what action you need to take (if any) and the deadlines that apply.

Please read this notice carefully as your decisions about this claim will have legal consequences.

2. What is a Collective Action?

A law called the Consumer Rights Act 2015 allows for a class representative to bring a collective claim on behalf of a group of individuals who are alleged to have suffered a common loss. Individuals within the group are known as "class members". Class members do not each need to bring an individual claim to obtain compensation for their loss. Instead, they may all receive compensation through a single collective claim brought on their behalf by the class representative.

The class representative's duty is to act fairly and adequately in the interests of all of the consumers who are part of the class of affected people.

3. Who is the Collective Action against?

This Claim is against BT Group Plc and British Telecommunications Plc ("BT").

4. What is this Collective Action about? What are the common issues?

CALL is the Collective Action on Land Lines. CALL is led by the class representative, Mr Justin Le Patourel. CALL is seeking compensation from BT on behalf of 2.3 million residential landline ('home phone') customers have been overcharged by BT.

The Collective Action will determine the common issues between Class Members. The Competition Act 1998 defines "common issues" as "the same, similar or related issues of fact or law". The Collective Action raise the following common issues:

(a) Whether BT's prices charged to Class Members for relevant services are excessive in breach of the Chapter II Prohibition in the Competition Act 1998 (i.e. whether BT abused its dominant position). This in turn requires consideration of:

(i) How the markets on which the services provided to Class Members by BT should be defined in terms of product, customer group and geographic scope.

(ii) Whether BT occupies a dominant position in the relevant markets.

(iii) What competitive benchmark(s)/level(s) should be selected for the purposes of ascertaining whether BT's prices for relevant services provided to the Class Members were/are excessive.

(iv) Whether BT's prices for relevant services provided to the Class Members were/are excessive when compared to the chosen competitive benchmark(s)/level(s) and what the magnitude of the unlawful overcharge is.

(b) The amount of damages which should be awarded to compensate Class Members for the unlawful overcharged paid by them to BT.

(c) The rate and basis of interest to be awarded to Class Members.

For further information on the common issues raised by the Collective Action, please see paragraphs 152 – 155 of the CPO Claim Form, available on www.callclaim.co.uk.

GENERAL INFORMATION

5. Why has this Claim been brought?

The claim has been brought by Justin Le Patourel, a former Ofcom employee, who the Tribunal has authorised to act as the "Class Representative", having been satisfied that he will act in the best interests of the group of affected customers and has the relevant skills, experience and financial capability to do so.

Mr Le Patourel applied for this collective action following a review in 2017 by Ofcom, the UK's telecom's regulator, which found that BT had overcharged residential customers who purchased a BT landline service and either did not also take a broadband service (Landline-Only Customers) or did take broadband, but did not 'bundle' this with their landline in a single, discounted package (Unbundled Customers). This overcharging had gone on since at least 2009.

Ofcom believed BT was able to overcharge in this way because it had a position of power in the telecoms market. In addition, BT knew that few of its Landline-Only Customers and Unbundled Customers, many of whom are older and/or vulnerable, were likely to switch away.

As a result, Ofcom said BT should reduce its charges for its Landline-Only Customers. In April 2018, BT reduced these charges by £7 per month (£84 per year).

Importantly however, BT did not offer to compensate either:

1. Landline-Only Customers for the excessive prices they had paid from 2009 to April 2018; or
2. Unbundled Customers (and certain Landline-Only Customers that use their landline for business purposes), who we believe are still being overcharged today.

The role of CALL – led by Justin Le Patourel - is to seek compensation for all consumers who were overcharged by BT (except those who opt out). Justin will instruct the lawyers and experts, make decisions on the conduct of the claim and, in particular, will decide whether to present any offer of settlement to the Tribunal for its approval.

Throughout the claim, CALL – on behalf of Justin Le Patourel - is responsible for communicating with affected consumers and for issuing formal notices, such as this notice. CALL will post updates about the claim on the website www.callclaim.co.uk.

6. Who is the Class Representative?

The class representative is Mr Justin Le Patourel. During his career, Justin has worked to help consumers get good deals from their telecoms providers and make it easier for them to switch provider when they're unhappy or want to take advantage of a better deal elsewhere.

As class representative, Mr Le Patourel's job is to lead the collective action and act fairly and adequately in the interest of the class members.

Justin is supported by his legal team which is led by Mishcon de Reya. Mishcon de Reya is one of the UK's leading law firms with significant experience of bringing group actions and complex competition law litigation. You will not be charged for any legal (or other) fees.

GENERAL INFORMATION

7. Who is “the class” in this Claim and the exceptions?

WHO?	WHICH TELECOMS SERVICE DID I TAKE?	WHEN?	EXCEPTIONS
BT residential customers	<p>1. Landline-Only Customers Customers who had a BT landline service but did not receive a broadband service (from BT or any other provider)</p> <p>2. Unbundled Customers Customers who had a BT landline service and also a broadband service (from BT or any other provider), but where those services were not packaged together as part of a landline and broadband bundle</p>	<p>Landline-Only: Any time between Oct 2015 - Apr 2018 (Oct 2015 – today for certain business customers)</p> <p>Unbundled: Any time between Oct 2015 – today (save that individuals who did not purchase any landline services from BT before 8 December 2023 are not included in the claim. Further, for individuals who purchased landline services from BT after 1 October 2015 but stopped doing so before 8 December 2023, any further purchases of landline services made in the period after 8 December 2023 are not included in the collective claim).</p>	<ul style="list-style-type: none"> • Certain BT business customers (see ‘What If I used my landline for my business?’ below); • BT Basic or BT Home Phone Saver customers; • Customers in the Hull area; • Officers, directors or employees of BT; • Officers, directors or employees of any entities in which BT has a controlling interest; • All members of BT’s legal team; • All experts instructed on behalf of BT; • All members of Justin Le Patourel’s legal team; • All experts instructed on behalf of Justin Le Patourel; • All employees of Case Pilots and Media Zoo engaged in advising and assisting Mr Le Patourel and any other professional adviser who may be engaged by Mr Le Patourel for the purposes of these proceedings; and • All members of the Tribunal panel assigned to these proceedings.
Personal representatives (executors or administrators) of the estates of:	<p>Landline Only Customers or Unbundled Customers</p>		

Please note that the above is a simplified version of the Class Definition as set out in the [Collective Proceedings Order](#), which is attached to this document. Full details of the defined Class can be referred to in that document.

GENERAL INFORMATION

8. What if I used my landline for my business?

If at any time from October 2015 to 8 December 2023 you used a BT landline service aimed at residential users for business purposes, you are still included in the claim (unless you have already opted out). This applies regardless of whether you are a Landline-Only Customer or you are an Unbundled Customer (a customer who purchased landline services as well as taking out a separate broadband contract from BT or another provider). However, if you used a BT landline service aimed at business users, unfortunately you are excluded from our claim.

If you are not sure what type of service you have or had, we suggest that you call BT on 0800 800 150 for confirmation.

9. What is an opt-out proceeding? What is the "domicile date"?

The claim is proceeding as an opt-out case. In simple terms, if you were living in the UK on 27 September 2021 (which is known as the "domicile date") and you satisfy the class definition, you are included in the class. You do not need to do anything unless you wish to be excluded from the class. This is called 'opting out' of the class.

All class members who stay in the class will be bound by any Tribunal judgment. As a class member, you will not be able to bring an individual claim against BT raising the same issues included in this claim.

If you purchased relevant services from BT after 19 May 2022 but wish to be excluded from the claim, you have the right to request to be excluded. If you wish to be excluded, you must opt out of the claim by 26 January 2024. This notice explains how to opt out in more detail at paragraph 15 on page 8 below.

10. How do I get a payment?

No money is available now and there is no guarantee that money will be available in the future. The case will have to be won in the Tribunal unless a settlement can be agreed with BT before it gets to a hearing. This process can take time, so please be patient. We recommend that you sign up for updates on the progress of the case on our website, www.callclaim.co.uk. If, and when, money becomes available, class members will be notified about how to obtain a payment.

11. When will the Tribunal hear the case?

The trial is listed to start on 29 January 2024 and will run until 22 March 2024. Please sign up to receive updates about the case and you will be notified of any significant developments. Details of how to receive updates are set out below. You should also regularly check the case website at: www.callclaim.co.uk for updates.

12. What is the Competition Appeal Tribunal?

The Competition Appeal Tribunal is a specialist court based in London that covers the whole of the UK and hears disputes such as these. The Tribunal publishes its Rules and Guidance, together with information about what it does, on its website www.catribunal.org.uk. A summary of this claim can be found on the Tribunal's website.

WHO IS IN THE CLASS?

13. What does it mean to be a class member?

As a class member, if money becomes available, you will be eligible to receive a payment to compensate you for your loss. You will also be legally bound by all Tribunal judgments with respect to this claim. If a payment becomes available, details on how to receive it and how the amount will be calculated will be provided at that time. These details will not be known and are not known until that time.

You will not be liable for any costs of the claim.

Whether Justin Le Patourel wins money for the class or not, unless you opt out, you will never be able to make your own claim against BT in respect of the claims included in this case.

For the class definition, see the attached [order](#).

14. How do I know if I'm a class member?

If you were a Landline-Only Customer or an Unbundled Customer (see definition at question 7) during the relevant periods or the appointed personal representative/administrator of the estate of a Landline-Only Customer or an Unbundled Customer, and none of the exceptions listed apply to you, then in legal terms you are known as a 'Class Member'. See the attached [order](#) for the definition of the class. See below if you are a personal representative/administrator. Justin Le Patourel is seeking compensation for Class Members.

If you are not sure what type of account or service you have or had, we suggest that you call BT on 0800 800 150 for confirmation.

When is a personal representative able to claim?

If you are a personal representative (the executor or the administrator) of the estate of a Landline-Only Customer or an Unbundled Customer, you will be a Class Member if the following conditions apply:

1. You were domiciled in the United Kingdom on the domicile date (27 September 2021).
2. If the person whose estate you represent was Landline-Only Customer (between 1 October 2015 and April 2018) or an Unbundled Customer (at any point between 1 October 2015 to 8 December 2023).

GENERAL INFORMATION

Remember, our claim does not include:

- Customers who used a BT landline service aimed at business users.
- Customers who took BT Basic or BT Home Phone Saver (as BT priced these products separately).
- Individuals living in the Hull area (as BT does not provide telecom services here).
- BT's overcharging prior to October 2015 (as the legal process in the UK does not allow for claims prior to this date).
- Customers who did not purchase any landline services from BT before 8 December 2023. Further, for individuals who purchased landline services from BT after 1 October 2015 but stopped doing so before 8 December 2023, any further purchases of landline services made in the period after 8 December 2023 are not included in the collective claim.

Members of different sub-classes may be entitled to different amounts of compensation if the claim succeeds.

HOW TO OPT OUT

15. I am an affected consumer and I want to come out of the class

If you purchased relevant services from BT after 19 May 2022 or are the appointed personal representative (executor or administrator) of a person who purchased relevant services from BT after 19 May 2022, and you were living in the UK on 27 September 2021 and you want to come out of the class, you must take steps to opt out by 26 January 2024.

Visit www.callclaim.co.uk and complete the Opt-Out Form on the website. On the Opt-Out Form you will be asked to confirm the following statement "I want to opt out of the collective claim against BT Group Plc and British Telecommunications Plc, Case No. 1381/7/7/21" and provide your full name, postal address, email address and telephone number.

If you prefer, you may also opt out by post by sending a letter with the information listed in the previous paragraph. To assist you in submitting an Opt-Out by post, a sample Opt-Out Letter is available at www.callclaim.co.uk. If you would like to be sent a stamped addressed envelope ("SAE") to submit your Opt-Out, please send an email with your postal address to SAE@callclaim.co.uk or call 0333 212 1617. Please send your letter to:

CALL Claim Opt-Outs PO Box 13188 BRAINTREE
CM7 0PD

If you are a personal representative (an executor or an administrator) of the estate of a Landline-Only Customer or an Unbundled Customer, you must also provide the following proof that you are entitled to act on behalf of the estate:

- Copy of the Grant of Probate confirming your right to act as an executor; or
- Copy of the Grant of Letters of Administration authorising you to act as an Administrator; or
- Copy of the death certificate of the affected customer, a copy of the will authorising you to act as an executor and a copy of your identification such as a passport, driving license or national identity card (if you have another form of identification, please contact us on the phone number below stating your proposed form of identification, and leaving your name and telephone number, and we will get back to you).

To be considered, your Opt-Out Request (and any relevant documents listed above) must be received or postmarked by 26 January 2024. Once your Opt-Out Request is received and processed, we will send you an acknowledgment by email if you have provided an email address, or by post if not.

By opting out, you will not be able to receive a payment from this claim if money becomes available. However, you may be able to bring your own separate claim against BT for the same issues.

IMPORTANT CONSIDERATION: Please note, if you opt out and then wish to bring a claim on your own against BT, you will need to consider the limitation period within which to bring an individual claim. You should consider taking independent advice on this point if you are considering an individual claim against BT.

16. What if I only started purchasing landline services from BT after 8 December 2023?

While the class representative believes that BT is continuing to overcharge landline customers (save for those Landline-Only Customers to whom BT agreed to reduce its charges in April 2018), the Tribunal has recently confirmed that individuals who make purchases of relevant services from BT (ie "Unbundled" customers as defined at 7 above, or Landline-Only Customers who used their landlines for business purposes) in the period after 8 December 2023 cannot be included within the claim. If you are such a customer and purchased a landline from BT in the period after 8 December 2023, please register for updates and we will inform you if the situation changes.

GENERAL INFORMATION

WOULD LIKE MORE INFORMATION?

17. How can I stay updated on the progress of the claim?

There are a number of ways that you can receive updates:

You can view updates at www.catribunal.org.uk/cases/13817721-justin-le-patourel

You can visit www.callclaim.co.uk and [register](#)

You can call 0333 212 1617 and provide your contact details

You can follow our social media channels

Facebook: @CallClaims

Twitter: @call_claims

If, and when, money becomes available, you will be contacted with information on how to claim your share if you have registered for updates.

18. How can I get more information?

This notice summarises the [Collective Proceedings Order](#). To read the full Order and see other information about the claim, visit www.callclaim.co.uk or www.catribunal.org.uk/cases/13817721-justin-le-patourel