

NOTICE OF THE COLLECTIVE PROCEEDINGS APPLICATION AND HEARING:

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

In Case 1381/7/7/21

Justin Le Patourel v BT Group plc and British Telecommunications plc

IF YOU HAD A RESIDENTIAL LANDLINE ('HOME PHONE') SERVICE FROM BT ANY TIME FROM OCTOBER 2015 TO THE PRESENT, YOU COULD RECEIVE COMPENSATION AS A RESULT OF A PROPOSED COLLECTIVE LEGAL ACTION.

HEARING DATE: 24-25 JUNE 2021

- This notice contains information about the proposed collective action and steps you can take in relation to this action.
- This action has been filed on behalf of certain UK customers who had a BT residential landline but did not have BT broadband bundled with it, between October 2015 and the present day.
- The action relies on a review in 2017 by Ofcom, the UK's telecoms regulator, which found that BT were charging some of their residential landline customers too much.
- The action has been brought by Justin Le Patourel, a former Ofcom employee, who is seeking compensation for unlawfully excessive landline prices.
- If you are a class member (see below for more information on who this applies to) you will be automatically included in Mr Le Patourel's claim, and will be bound by the Competition Appeal Tribunal's judgment deciding the outcome of the case, unless you chose to opt out.
- **A hearing has been set for 24 and 25 June 2021** to decide whether Mr Le Patourel's proposed collective action should proceed. This will take place at the Competition Appeal Tribunal.
- To read more about the Competition Appeal Tribunal and/or the proposed collective action, visit www.callclaim.co.uk or www.catribunal.org.uk.

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:
Object to the application or the class representative	Any person with an interest (including any proposed class member) may object to the Collective Proceedings Order application or the authorisation of Justin Le Patourel as the class representative. For further information on how to do this, see section 11 below.	4pm on 23 April 2021
Apply to make oral or written submissions to the tribunal	Any proposed class member may ask to make submissions to the Competition Appeal Tribunal (either verbally or in writing) at the hearing. Any third party with a legitimate interest may also ask to make submissions to the Competition Appeal Tribunal (either verbally or in writing) at the hearing	4pm on 23 April 2021

Further details on how to sign up for updates, object or apply to make submissions are available at www.callclaim.co.uk. You may also call the freephone number **0333 212 1617** to receive more information.

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GENERAL INFORMATION

1. WHY HAS THIS NOTICE BEEN ISSUED?

The Competition Appeal Tribunal has directed that this notice be issued by Mr Le Patourel following his application for a Collective Proceedings Order made on 15 January 2021. The application requests this claim to proceed as a collective action on behalf of all eligible BT customers.

The Competition Appeal Tribunal is being asked to:

- Approve the claim as suitable to proceed as a collective action on behalf of all eligible BT customers;

And

- Approve Mr Le Patourel to act as the class representative.

To read the full application, visit www.callclaim.co.uk.

The purpose of this notice is to inform you of important legal rights you have related to Mr Le Patourel's application – in particular, the right to object to the Collective Proceedings Order or object to Mr Le Patourel acting as the class representative. This notice explains what the claim is about, who is included, your right to object, what action you need to take (if any), and the deadlines that apply.

Please read this notice carefully.

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.

For more information, call **0333 212 1617**, or visit www.callclaim.co.uk

3. WHO IS THE PROPOSED COLLECTIVE ACTION AGAINST?

This Claim is against BT Group plc and British Telecommunications plc (together “BT”).

4. WHAT IS THIS PROPOSED COLLECTIVE ACTION ABOUT?

CALL is the Collective Action on Land Lines. CALL is led by the proposed class representative, Mr Justin Le Patourel. CALL is seeking compensation from BT on behalf of 2.3 million residential landline (‘home phone’) customers who were overcharged between October 2015 and now.

5. WHY HAS THIS CLAIM BEEN BROUGHT?

Mr Le Patourel applied for this proposed collective action following a review in 2017 by Ofcom, the UK's telecoms 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). Ofcom is currently running a consultation regarding its intention to continue to limit the prices BT can charge its Landline-Only Customers for their landlines.

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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.

6. WHO IS THE PROPOSED CLASS REPRESENTATIVE?

The proposed class representative is Mr Justin Le Patourel, a former Ofcom employee. During his career, Mr Le Patourel 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. He 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.

Mr Le Patourel is responsible for communicating with affected BT customers and for issuing formal notices, such as this notice.

He 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

7. WHO IS "THE CLASS" IN THIS CLAIM AND THE EXCEPTIONS?

Who?	Which telecoms service did I take?	When?	Exceptions
BT residential customers	1. Landline-Only Customers Customers who had a BT landline service but did not receive a broadband service (from BT or any other provider)	Any time between Oct 2015 - Apr 2018 (Oct 2015 - today for certain business customers)	<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
	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/broadband bundle	Any time between Oct 2015 - today	<ul style="list-style-type: none"> • Customers in the Hull area (supplied by KCOM Group Limited) • Officers, directors or employees of BT

If you were a Landline-Only Customer or an Unbundled Customer during the relevant periods and none of the exceptions listed apply to you, then in legal terms you are known as a 'Class Member'.

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 (or +44 150 174 7714 from outside the UK)** for confirmation.

Remember, our claim does not include:

- a. Customers who used a BT landline service aimed at business users.
- b. Customers who took BT Basic or BT Home Phone Saver (as BT priced these products separately).
- c. Individuals living in the Hull area (as BT does not provide telecom services here).
- d. BT's overcharging prior to October 2015 (as the legal process in the UK does not allow for claims prior to this date).
- e. Officers, directors or employees of BT.

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8. WHAT IF I USED MY LANDLINE FOR MY BUSINESS?

If at any time from October 2015 to today you used a BT landline service aimed at residential users for business purposes, you are still included in the claim.

However, if you used a BT landline service aimed at business users, unfortunately you are excluded from our claim.

If you used a BT landline service aimed at residential users for business purposes, and you are a Landline-Only Customer, then the period in which you need to have been a subscriber is extended. Customers in this category are in the class if they were a subscriber at any time between October 2015 and now.

If you are not sure what type of service you have or had, we suggest that you call BT on 0800 800 150 (or +44 150 174 7714 from outside the UK) for confirmation.

9. HOW IS THIS PROPOSED COLLECTIVE ACTION BEING PAID FOR?

Harbour – one of the world’s leading litigation funders – has agreed to fund the claim in full. As a result, there is nothing for affected BT customers to pay even if the case does not win.

If the claim is successful, the class representative will seek permission from the Competition Appeal Tribunal for Harbour to be remunerated out of any unclaimed compensation, to reflect the investment it has made to help bring the case to court. Importantly, this means Harbour’s remuneration will not have any impact on the amount of compensation that each affected customer is entitled to.

If the claim is successful, Harbour will also seek to recover its legal costs directly from BT.

10. 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.

HOW TO OBJECT TO THE APPLICATION OR THE CLASS REPRESENTATIVE

11. CAN I OBJECT AND WHAT CAN I OBJECT TO?

Any person with an interest (including any proposed class member) may object to the Collective Proceedings Order application or the authorisation of Justin Le Patourel as the class representative.

If you wish to file an objection, you must write to the Tribunal stating your reasons for objecting and send it by post, **so it is received by no later than 4pm on 23 April 2021** to the following address:

The Registrar
Competition Appeal Tribunal
Salisbury Square House
8 Salisbury Square
London EC4Y 8AP

When writing to the Tribunal you must include reference to **“Proposed collective claim (Justin Le Patourel) against BT Group plc and British Telecommunications plc, Case No. 1381/7/7/21”**.

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DEADLINE TO OBJECT: 23 April 2021

Any proposed class member may ask to make submissions to the Competition Appeal Tribunal (either verbally or in writing) at the hearing of the application for a Collective Proceedings Order, in addition to making written objections.

Any third party with a legitimate interest who is not a proposed class member may also ask to make submissions to the Competition Appeal Tribunal (either verbally or in writing) at the hearing of the application for a Collective Proceedings Order, in addition to making written objections.

Any such request to make submissions must be sent to the Tribunal in writing to the address above, supported by reasons.

DEADLINE TO REQUEST TO MAKE SUBMISSIONS AT THE HEARING: 23 April 2021

WOULD LIKE MORE INFORMATION?

12. HOW CAN I STAY UPDATED ON THE PROGRESS OF THE CLAIM?

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

- 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:
www.facebook.com/callclaims
www.twitter.com/call_claims

13. HOW CAN I GET MORE INFORMATION?

This notice summarises the Application for a Collective Proceedings Order. To read the full Application and see other information about the claim, visit www.callclaim.co.uk.