

People who bore the cost of paying for domestic consumption of electricity on or after 1 April 2001 could benefit from a proposed collective claim

THIS NOTICE

This is a legal notice published on the direction of the UK Competition Appeal Tribunal.

Clare Spottiswoode CBE has filed an application for permission to bring collective proceedings against a number of companies involved in the manufacture of high-voltage power cables (the “**Application**”). The companies form part of the following corporate groups: (1) Nexans; (2) NKT; and (3) Prysmian (the “**Cables Manufacturers**”).

The Cables Manufacturers were all found to have infringed EU competition law in relation to the supply of high-voltage underground and/or submarine power cables (as is further explained below).

The Consumer Rights Act 2015 allows collective proceedings to be brought on behalf of a group of persons (known as a “class”) who are alleged to have suffered loss as a result of unlawful anticompetitive conduct. For collective proceedings to be brought, the Competition Appeal Tribunal (the “**Tribunal**”) must first make a collective proceedings order (a “**CPO**”) authorising a person to act as a representative of the class and certifying the eligibility of the claims for inclusion in collective proceedings.

Ms Spottiswoode seeks the Tribunal’s permission to bring collective proceedings for damages against the Cable Manufacturers on behalf of a proposed class of people who she alleges have suffered losses due to the Cable Manufacturers’ unlawful conduct.

This notice is for your information as you may have a right to take part in the Tribunal’s consideration of the Application by submitting written observations or applying to be heard at the CPO hearing which is scheduled to commence on **9 April 2024**.

THE PROPOSED CLAIM

Ms Spottiswoode asks the Tribunal to appoint her as the class representative for a proposed claim which relies on a decision of the European Commission dated 2 April 2014 in Case AT.39610 *Power Cables* (the “**Decision**”). The Decision found that manufacturers of high voltage power cables entered into an unlawful cartel (by sharing markets and allocating customers, in particular in relation to large projects such as infrastructure and renewable energy projects).

It is Ms Spottiswoode’s case that companies responsible for the transmission and distribution of electricity in Great Britain purchased such cables at inflated prices, and that those inflated prices were ultimately passed through to higher prices in domestic electricity bills.

Information about the proposed claim is available from the claim website: <https://www.homeenergyaction.co.uk>.

Information concerning the Application, including a summary of the proposed claim, is available on the Tribunal's website at: <https://www.catribunal.org.uk/cases/14407722-clare-mary-joan-spottiswoode-cbe>.

THE PROPOSED CLASS DEFINITION

In summary, the proposed claim is brought on behalf of all people (and representatives of the estates of deceased people) who bore the cost of paying for domestic consumption of electricity supplied via the distribution network in Great Britain, on or after 1 April 2001.

Those who are domiciled in the UK and fall within the class definition will automatically be included in that claim, and will be bound by any judgment or settlement, unless they choose to opt out. Those who are not domiciled in the UK but otherwise fall within the class definition, will have the opportunity to opt in to the claim once it has been certified, if they wish.

The full class definition is available at www.homeenergyaction.co.uk, together with frequently asked questions.

HEARING OF THE APPLICATION

A hearing will take place on **9 April 2024** to decide whether the proposed claim can proceed. It is expected to last for four days. The location of the hearing will be: Competition Appeal Tribunal, Salisbury Square House, 8 Salisbury Square, London, EC4Y 8AP.

YOUR LEGAL RIGHTS AND OPTIONS NOW

Object to the application or the Proposed Representative	Any person with an interest (including any member of the proposed class) may object to the Application or the authorisation of Ms Spottiswoode by stating their reasons for objecting in writing to be received by the Tribunal by 4pm on 15 December 2023 .
Apply to make oral/written submissions to the Tribunal	Any member of the proposed class, or any third party with an interest (who is not a member of the proposed class), may also apply to the Tribunal for permission to make written and/or oral submissions at the hearing on 9 April 2024 . Any such application must be made in writing, supported by reasons, to be received by the Tribunal by 4pm on 15 December 2023 .
Tribunal's contact details	The Registrar, Competition Appeal Tribunal, Salisbury Square House, 8 Salisbury Square, London EC4Y 8AP; its website is www.catribunal.org.uk . When writing to the Tribunal you need to include the reference Case 1440/7/7/22 <i>Clare Mary Joan Spottiswoode CBE v Nexans France S.A.S. & Others</i> .