Prior notification of a concentration

(Case M.10498 – Liberty Global/Infravia/Liberty Networks Germany)

Candidate case for simplified procedure

(Text with EEA relevance)

(2021/C 447/08)

1. On 27 October 2021, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— Liberty Global plc ('Liberty Global', United Kingdom),

— InfraVia V Invest S.à.r.l. ('InfraVia', Luxembourg), controlled by InfraVia Capital Partners S.A.S. (France),

— Liberty Networks Germany Holding GmbH ('LNG', Germany).

Liberty Global and InfraVia acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control of LNG.

The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

— for Liberty Global: owner and operator of cable networks offering television, broadband internet, fixed-line voice telephony and mobile telecommunications services in several Member States,

— for InfraVia: company held by funds managed by InfraVia Capital Partners S.A.S., the management company of investment funds specialized in the infrastructure and technology sectors ultimately solely controlled by Mr Vincent Levita,

— for LNG: a newly constituted joint venture set up to establish and provide fibre-to-the-home internet services in rural districts of several states in Germany.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 ([2]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.10498 – Liberty Global/Infravia/Liberty Networks Germany

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.

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