V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.10973 – VODAFONE GROUP / ALTICE LUXEMBOURG / FIBRECO)

Candidate case for simplified procedure

(Text with EEA relevance)

(2023/C 41/08)

1. On 25 January 2023, 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:

— Vodafone Group Plc ('Vodafone', UK),

— Altice Luxembourg S.A. ('Altice', Luxembourg), ultimately controlled by Mr Patrick Drahi.

Vodafone and Altice will establish and operate a joint-venture ('FibreCo', Germany) in which they will acquire joint control within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings are:

— Vodafone is the holding company of a group primarily involved in the operation of mobile telecommunications networks and the provision of mobile telecommunications services, such as mobile voice, messaging and data services in ten Member States within the European Union, including Germany,

— Altice is a multinational convergent group specialising in telecommunications, content, media, entertainment and advertising and connecting customers via fibre network and mobile broadband,

— FiberCo will be active in Germany (i) the roll-out and operation of fibre telecommunication networks (primarily focussed on the same geographic area (i.e. mainly urban) as Vodafone's current coax cable network), and (ii) the offering of wholesale access on an open access and non-discriminatory basis based on such fibre networks.

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.

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the 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.10973 – VODAFONE GROUP / ALTICE LUXEMBOURG / FIBRECO

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

Postal address:

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Merger Registry
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([2]) OJ C 366, 14.12.2013, p. 5.