EUROPEAN COMMISSION

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PUBLIC VERSION

InfraVia V Invest S.à r.l.
12 rue du Château d'Eau
L-3364 -Luxembourg
Luxembourg

P4
ul. Wynalazek 1
02-677 - Warsaw
Poland

Subject: **Case M.10844 - INFRAVIA / P4 / FIBERFORCE**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]

Dear Sir or Madam,

1. On 17 August 2022 , the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which InfraVia V Invest S.à r.l. (Luxembourg), special purpose vehicle controlled by InfraVia Capital Partners SAS (InfraVia, France), and P4 sp. zo. o (P4, Poland), wholly controlled by Iliad S.A. (Iliad, France), will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over FiberForce sp z o.o. (FiberForce, Poland), currently wholly controlled by P4, by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are the following:

   – for InfraVia: investment manager on behalf of the InfraVia investment funds, dedicated to the infrastructure and technology sectors, including transportation, environment, energy and social infrastructure,

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1 OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

2 OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

3 Publication in the Official Journal of the European Union No C 321, 25.08.2022, p.9.

– for P4: one of the four Mobile Network Operators present on the Polish retail mobile market,

– for FiberForce: the provision of wholesale telecommunication access services in Poland through its own access network in the Hybrid Fiber-Coaxial technology and in the Fiber-to-the-Home technology.

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[4]

4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Olivier GUERSENT
Director-General

4 OJ C 366, 14.12.2013, p. 5.