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PUBLIC VERSION

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InfraVia V Invest S.à.r.l.
1B Heienhaff
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Luxembourg

Subject: **Case M.10498 – LIBERTY GLOBAL / INFRAVIA / LIBERTY NETWORKS GERMANY**
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 27 October 2021, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Liberty Global plc ("Liberty Global", United Kingdom) and InfraVia V Invest S.à.r.l. ("InfraVia", Luxembourg), controlled by InfraVia Capital Partners S.A.S. (France), intend to acquire, within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation, joint control of Liberty Networks Germany Holding GmbH ("LNG", Germany). The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.[3]

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 447, 4.11.2021, p. 17.

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. 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(c) 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.