

Brussels, 31 March 2011

## **Antitrust: Commission confirms it is investigating Deutsche Bahn**

***The European Commission can confirm reports in the German press that this week, 29 March, Commission officials undertook unannounced inspections at the premises of Deutsche Bahn AG and some of its subsidiaries. The Commission has reason to believe that Deutsche Bahn AG may have breached EU antitrust rules that prohibit the abuse of a dominant market position (Article 102 of the Treaty on the Functioning of the European Union).***

Unannounced inspections are a preliminary step into suspected anticompetitive practices. It has been alleged that Deutsche Bahn group, and in particular Deutsche Bahn Energie, the de facto sole supplier of electricity for traction trains in Germany, would be giving preferential treatment to the group's rail freight arm. The Commission officials were accompanied by their counterparts from the German competition authority.

The fact that the Commission carries out such inspections does not mean that the companies are guilty of anti-competitive behaviour nor does it prejudge the outcome of the investigation itself. The Commission respects the rights of defence, in particular the right of companies to be heard in antitrust proceedings.

There is no legal deadline to complete inquiries into anticompetitive conduct. Their duration depends on a number of factors, including the complexity of each case, the extent to which the undertakings concerned co-operate with the Commission and the exercise of the rights of defence.