



Final Report of the Hearing Officer¹
Telia Company / Bonnier Broadcasting Holding
(COMP/M.9064)

1. On 15 March 2019, the Commission received a notification of a proposed concentration by which Telia Company AB ('Telia') would acquire sole control of the whole of Bonnier Broadcasting Holding AB ('Bonner Broadcasting') (the 'Proposed Transaction').
2. On 10 May 2019, the Commission adopted a decision initiating proceedings pursuant to Article 6(1)(c) of the Merger Regulation². In that decision, the Commission indicated that the Proposed Transaction had a Union dimension within the meaning of Article 1(2) of the Merger Regulation and that it raised serious doubts as to its compatibility with the internal market and the Agreement on the European Economic Area. More specifically, the Commission was concerned that the Proposed Transaction might lead to the foreclosure of competitors from certain audio-visual markets in Sweden and Finland.
3. On 4 June 2019, following failure by Telia and Bonnier Broadcasting respectively to provide complete information in response to separate information requests, the Commission adopted two decisions pursuant to Article 11(3) of the Merger Regulation. These decisions suspended the time limits referred to in the first subparagraph of Article 10(3) of the Merger Regulation. Telia and Bonnier Broadcasting submitted complete responses on 4 July 2019. The suspension was therefore lifted as from the end of 4 July 2019.
4. On 4 July 2019, Telia requested an extension of the Commission's investigation by 20 working days under the second subparagraph of Article 10(3) of the Merger Regulation.
5. On 12 August 2019, the Commission received a set of proposed commitments, which it market-tested on 13 August 2019. On 2 September 2019, Telia submitted a revised set of commitments taking into account the feedback received in the market test. On 18 September 2019, Telia submitted a further slightly revised version of the commitments (the 'Final Commitments').
6. I admitted three undertakings, customers and/or competitors to the involved parties, in Case M.9064 as interested third persons pursuant to Article 5 of Decision 2011/695/EU.

¹ Pursuant to Articles 16 and 17 of Decision 2011/695/EU of the President of the European Commission of 13 October 2011 on the function and terms of reference of the hearing officer in certain competition proceedings, OJ L 275, 20.10.2011, p. 29 ('Decision 2011/695/EU').

² Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings, OJ L 24, 29.1.2004, p. 1.

7. The Commission did not issue a statement of objections pursuant to Article 13(2) of Merger Implementing Regulation³. The admitted interested third persons were informed that the Commission would not be issuing a statement of objections in this case.
8. In the draft decision, the Commission concludes that the Final Commitments remove the significant impediments to effective competition in the internal market or in a substantial part of it to which the Transaction would otherwise have given rise. As a result, the draft decision declares the Proposed Transaction compatible with the internal market and the Agreement on the European Economic Area, subject to full compliance with the Final Commitments.
9. Overall, I consider that the effective exercise of procedural rights has been respected during the present proceedings.

Brussels, 30 October 2019

Wouter WILS

³ Commission Regulation (EC) No 802/2004 implementing Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings, OJ L 33, 30.4.2004, p. 1.