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M.10515 - ILIAD / UPC POLSKA

SECTION 1.2

Description of the concentration

On 3rd February 2022, the European Commission received notification of the acquisition of indirect sole control by Iliad S.A. over UPC Polska sp. z o.o (“UPC”).

Iliad S.A. is the French-based holding company of Iliad (“**Iliad**”), which is ultimately controlled by Mr. Xavier Niel, a French citizen. In France, Iliad offers fixed and mobile communication services, fixed internet services and TV services. In Italy, Iliad offers mobile communication services. In Poland, since the acquisition of Play Communications S.A. (“**Play**”) in 2020, Iliad is mainly active as a provider of retail mobile services including internet access services and, since recently and to a much lesser extent, as a provider of fixed internet access services. Iliad’s Polish subsidiary, P4 sp. z o. o. (“**P4**”), is one of the four Mobile Network Operators present on the Polish retail mobile market and is a wholly owned subsidiary of Play, which is in turn controlled by Iliad. Mr. Xavier Niel ultimately controls other companies active in particular in the following sectors: telecoms, media, technologies, start-up businesses and real estate. In the sector of telecommunications, Xavier Niel’s group is mainly active in Ireland (as a provider of fixed and mobile communication services, fixed internet services and TV services), Malta (as a provider of fixed and mobile communication services) and Cyprus (as a provider of fixed and mobile communication services, fixed internet services and TV services).

UPC is only active in Poland where it provides retail fixed internet services, pay-TV services and retail fixed telephony services. UPC also has very limited activities in other fields, including business connectivity and mobile telecommunication services. UPC is ultimately controlled by Liberty Global Inc.

The proposed transaction therefore constitutes a concentration within the meaning of Article 3(1)(b) of the Council Regulation (EC) No 139/2004 and is subject to prior approval by the European Commission pursuant to Article 4 of the same Regulation.