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M.10844 - INFRAVIA / P4 / FIBERFORCE

SECTION 1.2

Description of the concentration

On 17 August 2022, the European Commission received a notification of a proposed concentration pursuant to Article 4 of Regulation No. 139/2004 of 20 January 2004 on the control of concentrations between undertakings, by which P4 sp. z o.o. ("P4") and a company held by funds managed by InfraVia Capital Partners S.A.S. will acquire joint control over FiberForce sp. Z.o.o. ("FiberForce").

The business activities of the undertakings concerned are as follows:

- **InfraVia Capital Partners S.A.S.** is acting as manager on behalf of the InfraVia investment funds, which are specialised in the infrastructure and technology sectors. It is headquartered in France.
- **P4** is one of the four Mobile Network Operators present on the Polish retail mobile market. It is a wholly owned subsidiary of Play Communications S.A. ("Play"), which is in turn controlled by Iliad S.A. Iliad S.A. is the French-based holding company of the Iliad group ("Iliad"). Iliad's subsidiaries also provide telecommunication services in France and in Italy. Iliad is ultimately controlled by Mr. Xavier Niel, a French citizen who controls other companies, including telecommunication companies active in Ireland, Switzerland, Monaco, Malta, Cyprus, Senegal and Comoros. On 10 March 2022, the Commission cleared P4's acquisition of sole control over UPC Polska sp. z o.o. ("UPC"), a wholly owned P4 subsidiary.³⁴ UPC is exclusively 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 mobile telecommunication services.
- **FiberForce** is a Polish company which will offer wholesale telecommunication access services in Poland by developing its own access network in the Hybrid Fiber-Coaxial technology and in the Fiber-to-the-Home technology.