

Abertis Telecom will appeal against the ruling of the National Competition Commission (CNC)

Abertis Telecom states that it strongly disagrees with the arguments set out by the CNC and considers that it has offered potential competitors access to its centres according to the terms and conditions arising from its obligations as an operator with significant market power.

Barcelona, 9 February 2012. In relation to the decision taken by the Board of the National Competition Commission (CNC, the Spanish Monopolies & Mergers Commission), which as far as **abertis telecom** is concerned is wrong in form and substance, the company has stated its intention to appeal against the decision to the Spanish National Court, in the confident belief that its opinion will be taken into account.

In the opinion of **abertis telecom**, there were important procedural irregularities during the proceeding, such as the lack of a mandatory binding report issued by the Telecommunications Market Commission (CMT). The report in question, which is required under the Sustainable Economy Act, would have provided a relevant assessment enabling the case to be ruled on properly, since it is precisely the regulatory accounting of **abertis telecom** which is being analysed.


abertis telecom considers that, contrary to the arguments included in the CNC's ruling, none of the conduct with which it is charged constitutes abuse of a dominant position in the DTT signal distribution transport market in Spain.

abertis telecom's activities have not excluded potential competitors in the provision of DTT signal distribution transport services. However, the Telecommunications Market Commission (CMT) has imposed obligations on **abertis telecom**, as an operator with significant market power, requiring it to provide access to regulated prices which facilitate the entry of potential competitors in this market.


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