



WHICH COMPETITION POLICY FOR REGULATED INDUSTRIES?

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Competition Policy Issues
in the media & telecoms sector



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Telecoms - Introduction

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- Regulatory framework
 - Access to network
 - Price control (Cost orientation)
 - Accounting separation
 - Competition law concepts
 - Non - discrimination
 - Abuse of dominance – SMP
 - Market review to maintain effective competition



Greek Authorities

- NCA (Hellenic Competition Committee, "HCC")
 - Operating since 1977 (Law 703/77)
 - "Traditional" fields: collusion, abuse of dominance and merger control
 - General competence
- NRA (Hellenic Committee of Telecommunications "E.E.T.T.")
 - Established following liberalization in 2000 (L. 2867/00)
 - Primarily telecoms regulator
 - Competition enforcement agent for telecommunications



Authorities of EETT [1]

L. 3431/06 (telecoms law)

- "...enforces L. 703/77 regarding business activity of electronic communication services & articles 81, 82 of EC Treaty (Reg. No. 1/2003)..."
- "...may seek for the assistance of the HCC at its discretion..."
- "...assesses fines and other administrative sanctions set by law, including those of L. 703/77..."

Authorities of EETT [2]

- EETT has **exclusive authority to enforce**:
 - Greek competition rules (collusion-abuse of dominance-merger control)
 - EU competition rules (Reg. 1/2003 - member of ECN) **for telecommunications**
- EETT may resort to HCC for assistance (**preserving** though its exclusive authority)
- **In practice**, EETT has indeed dealt with several cases, mainly on abuse of dominance and especially against the incumbent. **Interesting merger cases.**



Highlight merger decisions

- Hellas On Line/Attica telecoms
 - EETT accepted **full** competence
 - Imposed sanctions for late notification
- Cosmote/Germanos
 - Case handled by EETT, following **correspondence with HCC**
 - EETT asked for **expert opinions**, instead of asking HCC to assist
 - EETT finally granted conditional concentration approval
- Forthnet/NetMed
 - EETT granted **"partial" approval** (exclusively for telecom)
 - Additional approval by other authorities (e.g. HCC??) pending

