

Republic of Serbia

COMMISSION FOR PROTECTION OF COMPETITION

Number: 6/0-03-762/2016-1

Reference: 6/0-02-663/2016-1

Date: November 14, 2016

Belgrade

President of the Commission for Protection of Competition, pursuant to Article 35(2) and Article 62(2) of the Law on Protection of Competition (“Official Gazette of the Republic of Serbia”, no. 51/09 and 95/13), on November 14, 2016, enacts the following

C O N C L U S I O N

I PROCEEDING IS CONTINUED EX OFFICIO, instituted upon the Notification of concentration of the „Serbia Broadband – Srpske kablovske mreže” Ltd Company, with registered head-office at 8a, Zorana Đinđića Boulevard, Belgrade-New Belgrade, registered at the Serbian Business Registers Agency under the company registration number 17280554, against power of attorney by Sašo Cunder, created by acquiring the control over the „Interaktivne kablovske objedinjene mreže – I.KOM” Ltd company, with registered head-office at 10d, Džona Kenedija Street, Belgrade-New Belgrade, registered at the Serbian Business Registers Agency under the company registration number 06901590, against power of attorney by Darach Patrick Reidy, by acquiring 100% share, for investigation of the notified concentration’s fulfillment of conditions of permissibility from Article 19 of the Law on Protection of Competition, i.e. determining whether the implementation of such concentration would significantly restrict, distort or prevent competition in the market of the Republic of Serbia or its part, and in particular if such restriction, distortion, or prevention would be the result of creating or strengthening of a dominant position.

II ALL PERSONS ARE CALLED UPON, in possession of data, documentation or other relevant information that could contribute to the accurate fact-finding in this proceeding to immediately submit the said to the Commission for Protection of Competition, 25/IV, Savska Street, Belgrade.

III COMMITMENT IS DETERMINED, against the applicant of the Notification of concentration, the „Serbia Broadband – Srpske kablovske mreže” Ltd Company, with registered head-office at 8a, Zorana Đinđića Boulevard, Belgrade-New Belgrade, to execute the payment of fee pursuant to Article 2(7) of the Tariff on the level of compensation for activities within the competence of the Commission for Protection of Competition („Official Gazette of the Republic of Serbia“, no. 49/2011) for issuing the Decision on permissibility of concentration in investigation procedure in the amount of EUR50,000.00 (in words: fifty thousand), or the

amount of RSD equivalent calculated at the National Bank of Serbia's middle exchange rate on the day of payment, deducted of the RSD equivalent of the executed payment of fee in the amount of EUR25,000.00 (in words: twenty-five thousand) following submission of the Notification of concentration, and **IS ORDERED** to the applicant of the Notification of concentration, the „Serbia Broadband – Srpske kablovske mreže” Ltd Company, with registered head-office at 8a, Zorana Đinđića Boulevard, Belgrade-New Belgrade, to execute the payment of remaining part of the commitment in the amount of EUR25,000.00 (in words: twenty-five thousand), to the foreign exchange account of the Commission for Protection of Competition maintained at the National Bank of Serbia no. 500100-100128977, IBAN RS35908500100012897798, reference no. 6/0-03-762/2016, or in the RSD equivalent to the account of the Commission for Protection of Competition maintained at the Treasury Administration of the Ministry of Finance of the Republic of Serbia, no. 840-880668-16, calculated at the National Bank of Serbia's middle exchange rate on the day of payment, within the period of 3 (three) days from the date of receipt of the conclusion.

IV This conclusion shall be published in the “Official Gazette of the RS” and on the Internet page of the Commission for Protection of Competition.