



Republic of Serbia
**COMMISSION FOR PROTECTION
OF COMPETITION**

Number: 4/0-03-516/2016-6

Date: September 9, 2016

Belgrade

Pursuant to Article 22(2) of the Law on Protection of Competition (“Official Gazette of the RS”, number 51/09 and 95/13), Article 192 of the Law on General Administrative Procedure (“Official Gazette of the FRY”, number 33/97, 31/01 and “Official Gazette of the RS”, number 30/2010), and Article 2(1/2) of the Tariff on the level of compensation for activities within the competence of the Commission for Protection of Competition (“Official Gazette of the RS”, number 49/2011), deciding under the request for individual exemption of restrictive agreement from prohibition – draft Contract on joint construction planning of locations and optic cables, the Council of the Commission for Protection of Competition on its 77th Session of III Convocation held on September 9, 2016, enacts the following

DECISION¹

I Restrictive agreement - draft Contract on joint construction planning of locations and optic cables IS EXEMPT FROM PROHIBITION, of contracting parties Telenor Ltd. Belgrade, with registered seat at the address 90 Omladinskih brigada Street, and VIP mobile Ltd. Belgrade, with registered seat at the address 21 Omladinskih brigada Street, conditioned to the following terms imposed on contracting parties:

1. immediately following the conclusion of the Contract on joint construction planning of locations and optic cables, submit the respective document to the Commission for Protection of Competition;

2. during the individual exemption period related to restrictive contract from Paragraph II of enacting terms of this Decision, submit to the Commission for Protection of Competition information on:

a) every built location, i.e., route of optic cables pursuant to the aforementioned contract, following its construction;

¹ The act contains protected data. Protected data are marked using symbol [...] or in the range that the Commission finds to be an appropriate manner of protection.

b) individually built location, i.e. route of optic cables for each contracting party, following its construction;

c) expressed interest of any competing party to access the respective contract, within 15 days period from the date of receipt of the access request, i.e., colocation request.

II PERIOD IS DETERMINED related to the individual exemption from prohibition of restrictive agreement from Paragraph I of enacting terms hereof, **in the duration of 4 years** starting from the day of concluding the respective contract.

III Commitment IS ESTABLISHED and IS ORDERED to the applicant of related request, that as the compensation fee for issuing this Decision, execute the payment set in the amount of the RSD equivalent of EUR 1,200.00 calculated at the National Bank of Serbia's middle exchange rate on the day of payment, to the account of the Commission for Protection of Competition number 40-0000000880668-16 maintained with the Treasury Administration, reference number 4/0-03-516/2016, no later than seven days from the day of receiving this Decision.