

PRESS RELEASE

The CNMC approves, with commitments, Lyntia's purchase of usage rights for the excess dark fibre network of Iberdrola

- Lyntia will not terminate existing contracts and will offer to extend them up to 10 years.
- It will offer reasonable access conditions to its dark fibre network for five years.

Madrid, 31 July 2019 - The CNMC has authorised Lyntia Networks to purchase usage rights for Iberdrola's dark fibre surplus in the first phase. The operation is subject to fulfilment of the commitments presented by Lyntia. ([C/1031/19](#)).

Specifically, this operation involves the acquisition by Lyntia Networks of the rights to use the excess capacity of the fibre optic network to which Iberdrola (Iberdrola Spain, Iberdrola Distribución Eléctrica, and Iberdrola Generación) has exclusive, long-term ownership or usage rights. This transfer is made exclusively in the long term. In addition, Lyntia is acquiring Iberdrola's portfolio of contracts for fibre optic clients (dark and lit).

This operation involves the telecommunications sector, specifically the dark fibre market, where Lyntia provides its activity by marketing access to it. Iberdrola markets wholesale telecommunications services using fibre optic networks deployed inside its electricity distribution infrastructure and in networks deployed by third parties, for which it has certain usage rights. The operation was reported when the 30% market share threshold specified in the Antitrust Law was surpassed.

The dark fibre market in Spain is highly concentrated (the two main operators, Reintel and Lyntia, account for over 90% of the market) and there are significant barriers to entry. As a result, the operation posed risks to competition and was authorised subject to the commitments accepted by Lyntia.

Commitments accepted by Lyntia

The commitments involve maintaining the contractual conditions for the clients of the entity that results from the transaction. Lyntia will not unreasonably terminate existing contracts and will offer to extend existing contracts that expire in 10 years. Likewise, it will offer access, under reasonable conditions and via the different existing commercial methods, to its entire dark fibre network in Spain for a period of five years.

The CNMC will enforce Lyntia's compliance with its commitments. To this end, the buying company is required to periodically submit information that can be used to verify its effective adherence to said commitments.

More information on the analysis of concentrations in the [CNMC Blog](#):

[At the CNMC, we monitor concentrations.](#)

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