[ES] Prisa and Telefónica Fined

IRIS 2013-3:1/13

Laura Marcos & Enric Enrich
Enrich Advocats - Barcelona

"Trío Plus" is a package launched by Digital Plus (Prisa), DTS and Telefónica, offering Digital TV and ADSL (High Internet Bandwith).

On 28 January 2010, the Spanish National Competence Commission (Comisión Nacional de Competencia - CNC), opened an investigation regarding "Trío Plus", financed by Prisa, DTS and Telefónica. Therefore, the parties undertook to accept the obligation by virtue of which the products that were marketed together ("Trío Plus" or any other package) should also be offered separately at the same price.

Notwithstanding, the parties started marketing another package "Digital +Mini" through "Trío Plus". Consequently, CNC initiated another investigation as it considered this was a breach of the Resolution of 28 January 2010.

In application of Article 62.4.c of the Spanish Law of Competition (stating that breaching what it set forth in any resolution, agreement or commitment adopted according to the application of this Law, shall be considered as a serious infringement), the non-compliance with the resolution of 28 January 2010 shall be considered a serious infringement. CNC opened disciplinary proceedings against Prisa, DTS and Telefónica, which ended with a Resolution of 23 January 2013 establishing that the breach of the resolution was a serious infringement. As a consequence, Prisa and DTS were jointly and severally fined EUR 88,387, whereas Telefónica was fined EUR 100.259.

Resolucion de la Comisión Nacional de la Competencia (Expediente SNC/0016/11 DIGITAL+MINI), 23 de Enero de 2013

http://www.cncompetencia.es/Inicio/Expedientes/tabid/76/default.aspx?entryid=174371&command=core_download&method=attachment

CNC Resolution, case SNC/0016/11 DIGITAL+MINI, 23 January 2013

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026