

REFERENCE RELATING TO THE CELLNEX/ CK HUTCHISON UK TOWERS MERGER INQUIRY

Notice of extension of inquiry period under section 39(3) of the Enterprise Act 2002¹

1. On 27 July 2021, the Competition and Markets Authority (CMA), in exercise of its duty under section 33(1) of the Enterprise Act 2002 (the Act), referred the anticipated acquisition of the passive infrastructure assets of CK Hutchison Networks Europe Investments S.À R.L in the UK by Cellnex UK Limited to its Chair for the constitution of a Group of CMA Panel Members ('the Inquiry Group'). The period within which the report on this reference was to be prepared and published (the reference period) was due to expire on 10 January 2022.
2. Simultaneously with this Notice of Extension, on 16 December 2021, the Inquiry Group appointed to consider this reference published its provisional findings and a notice of possible remedies.
3. The Inquiry Group has decided that the reference period should be extended by eight weeks under section 39(3) of the Act as it considers that there are special reasons (set out below) why the final report cannot be prepared and published within the reference period. The revised reference period will expire on 7 March 2022.
4. In taking this decision, the Inquiry Group had regard to the scope and complexity of the inquiry, the need to allow sufficient time for the remedies process and the need to reach a fully reasoned final decision in the statutory timeframe. The Inquiry Group considers that completion of its investigation and the publication of its final report, including the remedies process, will not be possible within the original reference period.

Richard Feasey
Inquiry Group Chair
16 December 2021

¹ Published pursuant to section 107(2)(c) of the Enterprise Act 2002