

**CHAMBRE DE COMMERCE
ET D'INDUSTRIE
CÔTE D'OPALE**

Inquiry Manager
Eurotunnel / SeaFrance Remittal
Competition Commission
Victoria House
Southampton Row
LONDON
WC1B 4AD

By Post & Email (Eurotunnel.SeaFrance@cc.gsi.gov.uk)

10 April 2014

Dear Sirs,

Re: Eurotunnel / SeaFrance Merger Inquiry Remittal – Comments on Provisional Findings

As you are aware from our previous dialogue with you in relation to this inquiry, Chambre de Commerce et d'Industrie Côte d'Opale ("CCICO") is a public body charged with contributing to the economic development and management of the Nord-Pas de Calais region, as well as supporting businesses in the region. As part of its functions, CCICO is the concessionaire operating the ports of Calais and Boulogne-sur-Mer. Consequently, the competitive situation on the market for cross-Channel transport services on the Dover-Calais route is a matter of clear relevance to CCICO, and we take this opportunity to comment on the Provisional findings on the question remitted by the Competition Appeals Tribunal on 4 December 2013 published by the Competition Commission on 21 March 2014.

In its Provisional findings, the Competition Commission stated that, if it decides to confirm that it has jurisdiction in this case, it would reinstate its report dated 6 June 2013 on all other matters. In this report, the Commission determined that GET should be prohibited from (i) operating any ferry services out of the Port of Dover with any vessel for a period of two years from the date the prohibition comes into effect, and (ii) operating ferry services from the Port of Dover with two of the three Vessels it acquired from SeaFrance – the Berlioz and the Rodin – for a period of 10 years.

CCICO would like to make the following comments.

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terre et mer d'énergies!*

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.../...

CCICO is concerned that, if the Commission's prohibition against the use by GET of the Berlioz and Rodin ferries on the Dover-Calais route is implemented, there is no guarantee that these vessels will be acquired and operated by an alternative operator. It cannot, therefore, be excluded that the number of operators on the Dover-Calais route will be reduced – permanently – from three to two. This could have serious consequences for employment in the Nord-Pas de Calais region generally, and the investments made by CCICO in the Port of Calais to date:

- First, a reduction in the number of operators could have a negative impact on activity at the Port of Calais. It would prevent usage of the port's existing infrastructure from being optimised. Moreover, it could impair the return on CCICO's ongoing investments, which are intended to encourage the development and expansion of the port; and
- Second, the disappearance of one operator would risk weakening competition between the remaining operators, which could also affect the economic development of the region to the detriment of both consumers and businesses.

Given the potentially significant impact the remedies identified by the Commission could have on the economic development of the Nord-Pas de Calais region and on activity at the Port of Calais, (activities which CCICO is charged with promoting), we would urge the Commission to consider fully whether there are alternative, more proportionate, remedies which the Commission could impose to address the Substantial Lessening of Competition identified by the Commission as a result of the merger.

Yours faithfully,



Jean-Marc Puissesseau
President

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