



NEWS RELEASE

Thursday, 1st September 2005

The Competition Authority to carry out full investigation of the acquisition of MS Irish Cable Holdings B.V. by UPC Ireland B.V.

The Competition Authority announced today (1st September) that it has decided to carry out a full investigation of the proposed acquisition by UPC Ireland B.V. of MS Irish Cable Holdings B.V. UPC Ireland B.V. is a special purpose company controlled by Liberty Global Inc, the parent of Chorus and MS Irish Cable Holdings BV is a special purpose company wholly owned by Morgan Stanley and controlling NTL Ireland. Both parties are involved in the provision of cable pay-tv, telephone and internet related services.

The Competition Authority received notification of the proposed acquisition on 24th May 2005. The Authority is required under the Mergers and Acquisitions section of the Competition Act, 2002 to determine whether the result of the proposed acquisition will "substantially lessen competition" in markets for goods and services in the State. On 23rd June, 2005 the Authority made a formal request for further information of both parties, pursuant to Section 20(2) of the Act.

After a preliminary investigation (Phase 1), the Authority has been unable to conclude without further investigation that the transaction will not substantially lessen competition.

The Competition Authority has until 8th December, 2005 to make a final determination on the transaction (the Authority may conclude its investigation in advance of this date). The investigation of the proposed acquisition will examine the effect on competition in the markets in which the parties are active. As this is a media merger within the meaning of the Act, the Authority, on conclusion of its investigation and determination, will inform the Minister for Enterprise Trade and Employment of the fact of the making of a determination and the Minister will have 30 days to allow the merger to be put into effect, allow it to be put into effect subject to specified conditions or not allow the merger to be put into effect.

Interested parties are invited to make submissions by close of business on Thursday 22 September, 2005. Submissions should be marked "M/05/024 UGC (Chorus)/NTL" and should be addressed to Rosemary O'Loughlin, Mergers Division, The Competition Authority, 14 Parnell Square, Dublin 1 or sent by e-mail to mergers@tca.ie.

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