The Autorité de la concurrence clears, subject to conditions, the creation by RATP Dev and Keolis of a joint undertaking for the operation of CDG Express

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On 29 November 2018, the companies RATP Dev and Keolis notified the Autorité de la concurrence their project to create a joint undertaking in charge of operating the future connection of CDG Express between the Gare de l'Est and Paris-Charles de Gaulle Airport, whose launch is due in 2024.

After examining the possible effects of the transaction on the various markets concerned, the Autorité cleared the transaction, subject to commitments.

In the public passenger transport markets in Ile-de-France, the Autorité has ruled out any risk of price increasing or deterioration of the quality of services

At the end of the transaction, the parties will be present on this market, operating the CDG Express connection, the RER line B (Paris express train), the Bus Direct and the RoissyBus line; they will have no competitor operating rail connections between Paris center and Paris-Charles de Gaulle airport.

However, the Autorité considered that the parties will not be able, at the launch of the CDG Express service, to increase the prices or to deteriorate the quality of the CDG Express service. Indeed, the regulatory context (price and quality control of the CDG Express service in a public service contract concluded with the State) makes it possible to eliminate such risks related to the transaction.

In the same way, the conditions under which the other transport services of the parties are operated, are governed by agreements with IDFM (Ile-de-France

Mobilités): a price increasing or a decrease in the quality of these services, at the end of the transaction, which would result in a transfer of passengers to the CDG Express, can also be excluded.
Finally, the risk of coordination from the parent companies was also excluded, given the limited activity of the joint undertaking in relation to the activities of the parent companies. In addition, the data collected by the joint undertaking, limited solely to the passengers of the CDG Express, will not allow the parent companies to coordinate their behaviour when responding to future calls for tenders for the operation of other public transport of passengers' networks.

On the other hand, the Autorité has identified a risk of coupled sales of the future CDG Express ticket with baggage registration and transport services: the parties made a specific commitment to that extent.

The Autorité has identified the risk that the new entity may rely on its position on the market for the provision of public passenger transport services between Paris center and Paris-Charles de Gaulle airport to sell, at the same time as a ticket for the CDG Express and on preferential terms, a check-in and baggage service to and from the airport. In order to maintain effective competition on the latter market, the parties have undertaken to entrust the operation of the baggage service to an independent partner with autonomy in the determination of its commercial policy. The contract to be concluded with this partner must be approved by the Autorité. This commitment was subscribed for the duration of the public service contract, ie 15 years from the effective date of bringing the CDG Express connection into service.

See the full text of the decision 19-DCC-76 of 26 April 2019

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