The Autorité de la concurrence clears the joint control of Cityscoot by RATP and Caisse des Dépôts et Consignations

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Background

On 26 July 2022, RATP Capital Innovation, a subsidiary of RATP group, and Caisse des Dépôts et Consignations notified the *Autorité de la concurrence* of their plan to take joint control of Cityscoot.

After careful review of the planned transaction, the *Autorité* considered that it was not likely to harm competition and cleared the transaction unconditionally.

Parties to the transaction

RATP Capital Innivation is a subsidiary of RATP, a public industrial and commercial institution with a revenue of approximately €6bn in 2022. RATP is active in passenger transport in France. It has a monopoly on the operation of several transport modes in the Île-de-France region, in particular metros, trams and buses in Paris and the Paris inner suburbs. RATP is also active in the shared mobility [1] sectors and offers mobility-as-a-service (MaaS) [2] applications providing users with services that respond in a personalised manner to their mobility needs. This is mainly the Bonjour RATP application.

Caisse des Dépôts et Consignations (hereinafter “CDC”) is a public institution which carries out missions of general interest and whose revenue was

approximately €85.6bn in 2021. CDC is active in the passenger transport sector through the company Transdev and also operates shared mobility services.

Cityscoot is a company which offers short-term self-service rental of electric mopeds through a digital reservation and subscription system available on the Cityscoot mobile application. Cityscoot is currently active in Paris and several cities in the Paris inner suburbs.

The *Autorité* identified no competition concerns likely to arise as a result of the transaction

As RATP and CDC do not operate self-service moped services or shared mobility services aimed mainly at individual consumers in Paris and the Paris inner suburbs, the transaction does result in any overlap of activities.

The ***Autorité*** examined the risk of vertical effects, given the link between Cityscoot's self-service moped activities and RATP's MaaS activities in Paris and the Paris inner suburbs. The ***Autorité*** concluded that, considering the legal framework applying to MaaS services, RATP will not have the capacity either to refuse the distribution of Cityscoot competitors on its own services or to prevent the distribution of Cityscoot services by other MaaS providers.

Given the existence of associative links between passenger transport activities (for which RATP has exclusive rights in the Île-de-France region) and shared mobility activities, the ***Autorité*** examined the existence of potential conglomerate effects on both the upstream markets for calls for tenders and the downstream markets for the provision of public passenger transport and shared mobility services. After review, the ***Autorité*** considered that RATP and CDC would not have the capacity or the incentive to seek leverage effects between these different activities, particularly considering the applicable legal framework.

The ***Autorité*** therefore cleared the transaction unconditionally.

[1] Shared mobility is the provision of conventionally individual means of transport, such as cars, mopeds, bicycles and electric scooters, to the public.

[2] Mobility as a service can combine different modes of transport, such as public transport, taxi, transport vehicles with driver, carpooling, carsharing, bicycles or electric scooters.

Vertical effects

Vertical effects are investigated when a transaction involves stakeholders operating at different levels of the value chain. The Autorité then examines whether the transaction may allow the vertically-integrated entity to foreclose its competitors or to penalise them by increasing input costs or limiting their access to downstream customers.

Conglomerate effects

Conglomerate effects are likely to occur when the new merged entity extends or strengthens its presence in markets that are different from those in which it operates but that are related in a way that may allow it to increase its market power.

(in French).

See merger control decisions

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