# Introduction

The purpose of this document is to establish the existence or severity of anti-competitive effects of the investment scheme for expanding VHCN in Cyprus. The Cypriot authorities are planning on a market intervention, namely, to subsidize, the expansion of high-speed internet networks to areas where such a network does not exist.

Before diving into the economic arguments that could arise in such situations, we will begin by first giving a brief description of the Cypriot markets involved, and the players in them, as well as describe some economically important details of the investment scheme the Cypriot authorities have envisioned.

In the second section, we will describe the investment scheme designed by the Cypriot authorities.

Finally, we will dive into a few economic arguments that could be raised as objections to the scheme being implemented, and evaluate the risk that they pose towards strengthening the incumbent’s market power. Some of these will be counterbalanced by the countermeasures the Cypriot government will or has already put into place.

## Cyprus fixed broadband: the wholesale and retail markets

In Cyprus, the supply side of the telecommunication market consists of four companies: the incumbent, Cyta, which used to be a state-owned company, and three smaller companies which have gradually gained a foothold in the market, MTN, EPIC and Cablenet.

The market which is relevant for the intervention envisioned by the Cypriot authorities is the market for fixed broadband. We will distinguish between the retail market for fixed broadband, where the demand side consists of the consumers seeking to purchase internet services, and the wholesale market, where the demand side is captured by telecom companies seeking access to the network owned by other companies.

We will first give a brief summary of the distribution of market value on the retail market. To help put things into perspective, we present in the table right below the distribution of market value on each of the three main segments of the telecommunication retail market: fixed broadband, but also mobile and TV services.

As can be seen from the table, the four providers have heterogeneous presence on the three segments. The incumbent, Cyta, captures slightly roughly half of the total market value on each segment. Cablenet specializes in fixed broadband (27%) and has low presence in Mobile (1%) and TV services (13%). In comparison, Epic has a strong presence in the Mobile Market (39%) but limited presence in Fixed (9%) and TV services (0%).

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Retail market shares[[1]](#footnote-1) | | | | | |
|  | Cablenet | Cyta | Epic | Primetel/MTN | Total market value | HHI[[2]](#footnote-2) |
| ***Mobile*** | 1% | 51% | 39% | 9% | 218M | |  | | --- | | 4204 | |  | |  | |
| ***Fixed*** | 27% | 48% | 9% | 16% | 124M | 3370 |
| ***TV Services*** | 13% | 69% | 0% | 18% | 30M | |  | | --- | | 5254 | |

We now turn to a quick introduction of the wholesale market. The size of mobile and fixed broadband wholesale markets are, respectively, 26M and 20M Euros.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Wholesale market share[[3]](#footnote-3) | | | |
|  | Cablenet | Cyta | Epic | Primetel/MTN |
| ***Mobile*** | 0% | 68.6% | 29.6% | 1.8% |
| ***Fixed*** | 0% | 40% | 2% | 58% |

It is worthwhile noting that the supply on the wholesale market is a duopoly, on each of the two segments (mobile and fixed broadband). A constant across the two markets is the presence of Cyta. In contrast, the second duopolist is Epic for the mobile segment and MTN on the fixed broadband segment.

## The Cypriot investment scheme

The objective of the Cypriot government is to extend the access to fast internet connections (download speed > 100Mbps, upgradable to 1Gbps), and extend gigabit connectivity for SEDs (socio-economic developers) across the island*.* Urban areas being well-connected to high speed broadband, the objective is thus to extend VHCN to relatively more rural areas. The target areas (identified with a light green colour on the document *Investment 1)* represent a number of 42,975 premises. Some of these areas currently have access to download speeds < 30Mbps; hence the intervention in those areas falls under Article 52(3a) GBER.

Comment: describe a little better here. E.g., what’s the percentage of the total target area that is currently poorly supplied with speed <30MB?

The development cost per premise has been estimated at EUR 1250, which is twice more expensive than for premises in urban areas. Cyta estimates its funding gap of EUR 27.9 million.

Comment: retrieve data about how much money the Cypriot government wants to give the companies for developing the network to these rural areas.

Another comment: is the Cypriot government putting any sort of restriction on the technology of the new network? I.e., is funding conditional on the network being fiber? If so, maybe we should put some data on the share of each technology. I remember to have seen such data in one of those documents they’ve sent us.

The auction scheme will work by first dividing the areas that need to be serviced into 3 lots. The lots will sometimes span numerous districts. Lot A will predominantly serve Nicosia and Larnaka and will be 50% larger than the other two and will service 35 thousand people; Lot B will predominantly service Limassol and reach 22 thousand; and Lot C will primarily service Paphos and reach 21 thousand people. This is summarized in the table below:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Lot\District | Larnaka | Limassol | Nicosia | Paphos | population served |
| A | 43% | 2% | 55% |  | 35,648 |
| B | 17% | 76% |  | 7% | 22,869 |
| C |  |  | 6% | 94% | 21,635 |

Each lot will be allocated to one of the operators via multi-criteria auction.

Another comment: do we actually know what the Cypriot government has in mind? Auction but on what? What are companies gonna be bidding on?

## 1.3 Market participants to the subsidy scheme

Cyta, Cablenet and Epic are currently investing in new infrastructure with the aim of increasing connectivity to 90% of premises by 2026. Epic has secured 19M from the European Investment Bank which will double the number of homes it can connect to the fiber network (from 25k to 50k homes).

Comment: do we have any further information about which company is willing to participate to the subsidy program? E.g., I’ve read in Investment 1 that only Cyta is willing to participate. Any update?

# The intended function of the Cypriot investment scheme

Comment: stuff that would be great to stress:

* Connecting SEDs to fast broadband (and make a point about how fast internet helps economic and social development in rural areas)
* Technological upgrade (if indeed the companies interested in extending the network want to use more up-to-date technology)
* Make an argument (if possible) about how target areas are greatly disadvantaged and stuck with very low internet speed (<30MB).

# Addressing potential market issues associated with the Cypriot scheme

## 3.1 Technology restrictions

Technology restrictions could decrease the number of participants, and give an advantage to the companies with the highest willingness to pay. Market concentration would result.

Restrictions should be instead on the speed the network can support, and not on the actual technology used.

Comment: Cf my earlier comment: does the Cypriot government condition funding on the technology the network will use?

## 3.2 Monopoly pricing

A potential issue may arise if the Cypriot government does not make the company which wins the auction for building the network in a given area commit to either (a) allow its competitors access to the network, (b) also bid on the retail price of fixed broadband. Indeed, the failure of having none of these two conditions fulfilled will certainly lead to a situation where the owner of the newly built network has a captive demand and thus can lead to a very high price.

The relationship between monopolies and monopoly prices is not as straightforward as it initially seems. Indeed, a monopolist may have less market power than firms competing.[[4]](#endnote-1) This point is especially true when it comes to auctioning lots. As such it is important that the criteria for the auction be carefully selected.

An important criterion to determine if the monopoly price will lead to a monopoly price is the weight of the **expected price to be charged to consumers** in the future. For example, if there were to be a competitive auction where a single firm receives operational rights, if the bidding amount is a commitment to the price that will be charged to consumers, then we will have a competitive outcome even if it a total monopoly. In the idea scenario the Cypriot authorities would then simply ask each of the possible operators to submit the cost they would be willing to charge consumers and take the lowest one. The reserve price literature also indicates that the authorities should try and create a maximum price that can be charged to consumers, probably based current pricing.

The idea scenario is somewhat thwarted because there are three additional constraints that the government of Cyprus must take into account. **The first additional criterion is the number of consumers serviced**. Introducing this as a criterion could increase the risk of the auction creating a monopoly as a provider who can service the additional consumers more cheaply than the providers, may be tempted to compete on the number of consumers serviced and hence not offer a competitive bid. On the other hand, this criterion could be welfare improving if it allows for more providers to enter the process which would may decrease prices.

The second additional criterion the Cypriot government must take into account is the **total price of the lot**. If a provider requires less or more government investment then the government will be taking this into consideration. Whilst this is a criterion which can be used to reduce the budget co

Finally, the **third criterion the government will require is the speed of the internet to be provided.** This constraint however is unlikely to reduce competition as the few providers who will participate can all meet the required standards.

The Cypriot authorities will also take into consideration the environmental impact but it seems unlikely that the providers would have vastly different effects in this domain.

What is the expectation from the bidding?

What we can currently say is that there exist areas where the providers currently don’t reach. Why does this occur? The most basic reason why companies do not currently provide those areas is that it is not profitable to do so. The simplest representation of this is to say that the net present value of the project is negative for all players.

Though to our judgment here it is likely the NPV is negative, there could also be game theoretic reasons why we see no investment even though the NPV is positive. Specifically, for Cyta, since Cyta is required to give wholesale access to its network to other providers, and is also likely one of the most efficient operators, it is possible that the project could be profitable but lack of monopoly on the retail price causes them to not invest.

Nevertheless, this argument does not work with a provider like Cablenet who can develop the network and not give wholesale access to others. In other words, if Cablenet has the capacity to invest in these areas and has not done so, we can reasonably expect that the NPV of these investments are negative for Cablenet. This also clearly showcases that if Cyta is bound up by it’s usual obligation of giving other providers wholesale access to it’s project, it has a lower incentive to bid than the others. Whilst in theory Cyta has a much lower willingness to pay than it’s competitors because the possible profits that it can extract from is lower than it’s competitors, this could be balanced out by the fact that Cyta is generally a more established operator and has lower costs to developing these networks. Which of these two effects is more important in practice can only be seen after the project is developed.

So why would companies invest in these lots if the NPV is negative? We now come to the reason why the subsidy is necessary. The subsidy is meant to act to overcome the fixed cost. Since the subsidy for each lot is 12million, this means we expect that the bid amounts will be strictly less than 12 million.

From auction theory we have a few expectations. We expect that if only a single firm can credibly develop the plot with a 12million subsidy, and this firm is aware they are the only one who can do so, then we would expect this firm to bid as close to zero as possible. On the other hand if there are two firms who can credibly develop this project, then we expect the bidding behaviour to be about half of what the project is worth to them, which in this case would be 12m+NPV(which we expect to be negative). So if the NPV of the project is -2million, we would expect that two bidders will opt for 5million as their bid. If there are 3 bidders, then we expect them to bid ¾ of the value, so 7.5m, and if there are four equally credible bidders, we expect them to bid 4/5 of their value, or 8m.

What will be the effect of the retail price bid? In general, it is expected that the lower the retail bid, the correspondingly lower will be the bid for the lot. The scheme could use a desired price index as a starting bid or it could just fix a low price form the beginning. Nevertheless, this should carefully be weighted against the risk that the 12m+NPV amount does not go into negative territory as this could mean the providers do not participate. In general, the government must make a decision for the length that the retail price bid will commit the firm to charging said price. For instance, if they bid for providing internet services for 30 euros a household, are they legally mandated to keep this up for 5, 10, 15 years? This also needs to be carefully crafted such that the provider does not wish to simply rent this out to a competitor who is not bound by such an agreement. In other words, the constraint must apply.

The government subsidy for the construction of this network may pose long run higher prices for these areas unless there is a commitment to the retail price. One possible format the Cypriot government could adopt is to not give unlimited operating rights to providers. Instead, they could gain rights to use the network for 5-8 years, and then the government could run a follow up auction to see who can continue to operate the network. This is known to be an effective way to keep retail prices low.

Finally, the coverage of the network is another criterion the government considers important. Specifically, the government aims to use the number of buildings connected as the measure of success. The coverage aspect should be considered complementary to the retail price. For example, suppose the bid takes the following form (retail price, lot price, coverage). If the government deems that (20 euros per person, 10m, 20k buildings) is equally as attractive as (40 euros a person, 8m bid, 20k buildings), then an increase in coverage, say from 20 to 22 in both packages, should lead the government to prefer the first package to the second. This is because those extra two thousand buildings will receive the service at a lower retail price and hence the program should be better for consumers.

## Uniform pricing

## Potential impacts on the retail market

To evaluate the impact of the subsidy policy, one must anticipate its potential effects on the retail market. Because the demand for access from end consumers is typically inelastic (consumers may be driven off the network by usage-related charges rather than access charges), becoming a local monopoly may be a significant source of profits for the auction winners. The same auction winners will continue to compete against other companies in the markets they already serve. A question that may be raised is under which circumstances the creation of new market segments leads to price changes in already existing ones.

The principle of uniform pricing is a regulatory obligation on companies to charge the same price for a good or service to all their consumers, regardless of their differences -- such as geographical localization.

In practice, consumers with different characteristics – such as their geographical localization – represent different markets. A company that owns the relevant infrastructure and gets the exclusivity on operating it could act as a monopolist on that market segment (e.g., rural areas targeted by the intervention) while competing against several other companies in other segments (e.g., urban areas).

If no regulatory obligation compels companies to apply the same price in every region, then the different regional markets can be considered independent. The company which owns the newly-built network in a given area will charge the monopoly price there, while applying a lower price in regions where it faces competition (typically, urban areas). When segments are independent, the price can vary depending on the regional cost of connecting consumers to the network.

 If companies are not allowed to price discriminate consumers based on their location, the several market segments are correlated. For the sake of argument, suppose that company X has invested in deploying the BB network in rural area A. Typically, its cost for serving that particular segment is high – X has to recoup the fixed cost of building the network, and local conditions may just make it more difficult to connect households. Company X is also active in the retail market for fixed BB in region B (an urban region that is relatively cheaper to serve) and faces competition from company Y. Company Y, however, is not present in region A. Uniform pricing disadvantages X on segment B. This is because the average of X’s marginal and average costs over the two regions it serves are higher than on segment B. Because of this, X can no longer offer as cheap a price on segment B; this ultimately benefits its competitor, Y.

In our view, uniform pricing involves a trade-off between decreasing the incumbent’s market power and decreasing consumer surplus in urban areas. Uniform pricing prevents a firm from setting a high price and cashing in on its captive consumers. This may give small firms with weaker financials than Cyta an additional incentive not to participate in the program. A pessimistic -- though realistic -- scenario would be that Cyta takes on most of the targeted areas. Its prices may rise, and Cyta may thus lose customers in urban areas to its competitors. The inflation in Cyta’s prices would not necessarily lead to a decrease in consumer welfare if it were charging higher prices than its competitors. Indeed, this could even positively incentivize captive consumers (because of high search costs, brand loyalty, etc.) to turn to cheaper operators. However, as seen in the table below, Cyta currently offers the most affordable plans. Hence, the most modest households may be particularly affected.

The program by the Cypriot authorities strives to correct the undesirable effects on consumer welfare and market power associated with uniform and differential pricing.

On the consumers' front, the Cypriot authorities' bidding mechanism is immune to price increases in the regions outside the targeted areas. Indeed, the authorities have decided to allow differential pricing. I.e., an auction winner in a given target area will have the possibility to charge a higher price in that market segment. The virtue of differential pricing is that it will boost participation, as companies can count on earning their monopoly profits in the regions where they invest. The downside, however, could be high-priced services in the target regions. The Cypriot authorities' bidding system tackles this issue without depressing participation. They propose to have companies bid, among other things, on the retail price of the BB services they will offer should they win the auction. In other words, the auction format has been designed so as to incentivize participants to set competitive prices on the retail market.

On the front of market power, a concern could be that Cyta strengthens its dominant position by taking on most of the target areas. Indeed, the high fixed cost of building the network remains a barrier to participation for smaller firms with weaker financials than Cyta’s, although partially financed by the program. The Cypriot authorities intend to extend Cyta’s legal obligation to grant its competitors access to its infrastructures at a regulated price. This way, Cyta’s possible dominant position in the wholesale market will not spill over to the retail market.

Comment: we need more information about the Cypriot government has in mind. Is a bid about the willingness to build the network, is it more or less sophisticated than this? For (a), it would be sufficent to extend the obligation on Cyta (i.e., allow access to the network) to the companies which will own the newly built network.

# Conclusion

1. This data is collected by the national regulatory authority of Cyprus (henceforth, NRA). [↑](#footnote-ref-1)
2. The Hershfindal Index is computed by squaring the market shares\*100 and summing them [↑](#footnote-ref-2)
3. NRA data. [↑](#footnote-ref-3)
4. This point was first introduced in the economic literature by the article: Demsetz, Harold. "Why regulate utilities?." *The Journal of Law and Economics* 11.1 (1968): 55-65. [↑](#endnote-ref-1)