

Decision no. 13/2012

Following a complaint, the Competition Council, based on the Order nr.124/27.04.2009, decided to open an investigation on the market of therapeutic mineral water supply in Baile Olanesti resort, regarding the possible violation of Article .6 of law by SC Riviera Olanesti SA, by refusing to provide competitors access to therapeutic water springs, SC Olanesti Riviera SA being an exclusive concessionaire.

Providing access to natural healing factor, represented by therapeutic springs, is objectively necessary for the companies that own accommodation facilities and the balneary treatment centers in Baile Olanesti, in order to compete on the balneary tourism market.

Competition Council found that there is insufficient evidence to prove beyond reasonable doubt that Olanesti Riviera committed acts of abuse of dominant position prohibited by Art. 6 para. (1) of the law.

However, the Plenum of the Competition Council considered necessary to make behavioral recommendations to the exclusive concessionaire of the therapeutic water springs - SC Olanesti Riviera, based on Article 45 para. (1) e) of the Law, in order to protect competition on the balneary tourism market and in order to prevent undue limitation or closure access to natural healing factor.