

Press-release of 30.06.2010

30 июня 2010, 10:20

The Office of the Federal Antimonopoly Service in the Yaroslavl region (the Yaroslavl OFAS Russia) found that "Yaroslavl Retail Company" OJSC abused market dominance (Part 1 Article 10 of the Federal Law "On Protection of Competition").

The Yaroslavl OFAS initiated a case against "Yaroslavl Retail Company" OJSC upon the petition of the residents of an apartment block in Nekrasovskoye settlement. The company unlawfully included payment for electric energy, consumed by subscribers - non-payers, in the box for "general housing needs".

According to a representative of the "Yaroslavl Retail Company" OJSC, the provider of last resort had to do this because six residents failed to present readings of their individual meters.

"Such actions of the retail company are also in breach of the Housing Code of the Russian Federation. Residents in Nekrasovskoye have chosen to directly manage their apartment block when each owner of the premises independently regulates relations with providers of last resort and is not responsible for other residents", commented the Head of - the Yaroslavl OFAS Russia, Ms. Natalia Sibrikova.

Having investigated the case, the Commission of the Yaroslavl OFAS Russia issued a determination to the "Yaroslavl Retail Company" OJSC to prevent actions that violate the antimonopoly legislation.

In the near future OFAS will look into initiating administrative proceedings against the "Yaroslavl Retail Company" OJSC, which can be imposed a "turnover" fine.

Reference:

Under Article 14.31 of the Code of the Russian Federation on Administrative Violations, if an economic entity that had dominant position on the market exercises actions that are classified as abusing market dominance and are forbidden by the antimonopoly legislation of the Russian Federation, it is punishable by an administrative fine upon officials - from 20,000 to 50,000 Rubles or disqualification for the period up to three years, and upon legal entities - from one hundredth to fifteen hundredths of the income gained by the violator from selling goods (works, services) on the market where the administrative violation was committed by no more than one fiftieth of the total income of the violator from selling all goods (works, services) and no less than 100,000 Rubles, and if the total income of the violator from selling goods (works, services) on the market where administrative violation was committed exceeds 75% of the total income of the violator from selling all goods (works, services), -from three thousandths to three hundredths of the income of the violator from selling goods (works, services) on the market where the violation was committed but no more than one fiftieth of the total income of the violator from selling all goods (works, services) and no less than 100,000 Rubles.