

Madrid, 20 January 2020.

Dear Ms. Marshall,

Last Friday, I received an email confirming an extension of the deadline to the Party concerned. This is disturbing as we were not informed before. We would like to manifest our disconformity on how this has been handled. Under an equal treatment procedure, we should have been notified about that request as we should have been granted the same extension. In addition, the approval of this extension gives more time and therefore an advantage to the Party concerned.

In addition, we, IIDMA, sent our comments to the draft findings within the deadline. This will allow the Party concerned to analyse our comments and to comment on them. Therefore, in order to avoid any inequity in this procedure, we request to the ACCC that the Party concerned is not allowed to counterargue any of our comments to the draft findings as this is the situation which would have occurred if the extension of the deadline would have not been granted. Otherwise, the due process could be under question. If this is not accepted, then we request to have the opportunity to comment on the comments to the draft findings sent by the Party concerned after they send them.

As a final comment, I would like to remind that this procedure was initiated five years ago. Thus, the Party concerned has had time enough to reflect on all its elements. Requesting an extension is a manner to postpone a decision. Let me finalize this letter bringing a legal maxim which is very relevant for the situation lived in communication ACCC/C/2014/121: "justice delayed is justice denied".

Thank you in advance for your consideration.



Ana Barreira

*Lawyer and Director*

IIDMA