

Small but Significant Non-transitory Increase in Price (SSNIP) test – Step 1

• Lack of market forces towards future competitive levels • Insufficient force of competition law Regulatory tools: Identify **possible** not RM & SMP Determine Determination² fully competitive the RM Ex ante markets Combined regulatory actions **RM & SMP** Dispute resolution and abuse Determination of SMP (competition laws) EX post

Existence of any type of high barriers of entry (structural/legal/regulatory)

Criteria for determining ex-ante regulation needed 1

Regulate if all 3 conditions are expected to be met:





