

***Case No COMP/M.2290 -
SFK99-RAHASTO /
FORTUM / NAPS
SYSTEMS***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 22/02/2001

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.02.2001

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Sirs,

Subject: Case No. COMP/M.2290 - SFK99-RAHASTO / FORTUM / NAPS SYSTEMS

Notification of 24.1.2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹

Publication in the Official Journal of the European Communities No. C 35, 02.02.2001, page 3.

1. On 24.1.2001, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertaking SFK 99-Rahasto Ky/3I Finland Oy, belonging to the 3i Group plc ("3I Group"), United Kingdom, acquires within the meaning of Article 3(1)(b) of the Council Regulation joint control of NAPS Systems Oy ("NAPS Systems"), Finland, currently a subsidiary of Fortum Power and Heat Oy ("Fortum"), belonging to Fortum Oyj, Finland, by way of purchase of shares.

The business activities of the undertakings concerned are:

For 3i Group: venture capital company

For Fortum: generation, sales and transmission of power and heat

¹ OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

For Naps Systems: manufacture, development and marketing of solar electricity systems and photovoltaic (PV) power systems and their components

2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph b, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
3. To the extent that restrictions specified by the parties are directly related and necessary to the implementation of the concentration, these restrictions are covered pursuant to Article 6(1)(b), second subparagraph, of Council Regulation (EEC) No. 4064/89.
4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EEC) No. 4064/89.

For the Commission,

² OJ C 217, 29.07.2000, p. 32.