

***Case No COMP/M.2352 -
SWB / STADTWERKE
BIELEFELD / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 27/07/2001

*Also available in the CELEX database
Document No 301M2352*



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.07.2001

SG (2001) D/290580

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties:

Dear Sir,

**Subject: Case No. COMP/M.2352 – SWB/Stadtwerke Bielefeld/JV
Notification of 29.06.2001 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities
No. C 195, 11 July 2001, page 10**

1. On 29.06.2001, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 by which the undertaking Stadtwerke Bremen (“SWBremen”), Germany, controlled by Essent N.V., Netherlands, and the municipality Stadt Bielefeld (“StadtBielefeld”) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Stadtwerke Bielefeld (“SWBielefeld”), Germany, by way of purchase of shares. SWBielefeld is at present solely controlled by StadtBielefeld.

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.

The business activities of the undertakings concerned are :

- for undertaking SWBremen : activities in supply of energy, water, waste and telecommunication
 - for municipality StadtBielefeld : operation of municipal facilities and enterprises
 - for undertaking SWBielefeld: supply of energy, water and telecommunication at municipal level
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 (c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
 3. 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
(Signed)
Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.