

***Case No COMP/M.3212 -
GDF / ITALCOGIM / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 25/07/2003

*Also available in the CELEX database
Document No 303M3212*



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25.07.2003

SG (2003) D/231040

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party,

Dear Sirs,

**Subject: Case No. COMP/M.3212 – GDF/ITALCOGIM/JV
Notification of 23/06/2003 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 156 of
04.07.2003.**

1. On 23/06/2003, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89, as last amended by Regulation (EC) No 1310/97², by which the undertaking GDF International S.A.S. (“GDFI”, France), a wholly owned subsidiary of Gaz de France Group (“Gaz de France”, France) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Italcogim S.p.A. (“Italcogim”, Italy), currently solely controlled by the Fabiani family, by way of purchase of shares.
2. The business activities of the undertakings concerned are :
 - for Gaz de France: the exploration, production, storage, transportation, distribution and supply of gas, mainly in France;

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.

² OJ L 180, 9. 7. 1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.

- for Italcogim: the distribution and supply of gas to residential and industrial customers
- 3 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 4064/89³.
- 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

Mario MONTI
Member of the Commission

³ OJ C 217, 29.07.2000, p. 32.