

***Case No COMP/M.3797 -
CGE/AMGA/SMAT/SAP***

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**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 15/06/2005

***In electronic form on the EUR-Lex website under document
number 32005M3797***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15/06/2005

SG-Greffe(2005) D/202662/3/4

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Madam(s) and/or Sir(s),

Subject: Case No. COMP/M. 3797 – CGE/AMGA/SMAT/ SAP

Notification of 17.05.2005 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹

Publication in the Official Journal of the European Union No. C 126 of 25/05/2005, page 9

1. On 17.05.2005, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Compagnie Générale des Eaux (“CGE” France) belonging to the group Veolia Environment (“VE”, France) acquires within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Societa’ Azionaria per la Condotta di Acque potabili S.p.A (SAP, Italy), presently jointly controlled by Azienda Mediterranea Gas e Acqua S.p.A (“AMGA”, Italy) and Societa’ Metropolitana Acque Torino S.p.A. (“SMAT”, Italy), by way of public bid announced on 4/5/2005.

The business activities of the undertakings concerned are :

¹ OJ L 24, 29.1.2004 p. 1

- for AMGA: provision of different services related to the so-called “integrated water cycle” (catching, transport and local distribution, sewage and depuration), as well as electricity production and sale, management of gas distribution network and telecommunications. AMGA is active in various regions of Italy;
 - for SMAT: provision of different services related to the “integrated water cycle” in one local managing unit in the North of Italy;
 - for CGE: active in different services related to the “integrated water cycle”, as well as in energy services, waste management, processing and recycling, and passengers transport services in various regions of Italy;
 - for SAP: provision of different services related to the “integrated water cycle” in various regions of Italy.
2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, [subparagraph (a)] of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².
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 (EC) No. 139/2004.

For the Commission

signed
Neelie KROES
Member of the Commission

² OJ C 56, 05.3.2005 p.32