

***Case No COMP/M.4118 -
CVC / KKR / AVR***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 24/02/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24/02/2006

SG-Greffe(2006) D/200842

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party

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

Subject: Case No. COMP/M.4118 - CVC/KKR/AVR
Notification of 24.01.2006 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 025 of 1 February 2006, page 7.

1. On 24.01.2006, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings CVC Capital Partners Group SARL (CVC, Luxembourg) and Kohlberg Kravis Roberts & Co. L.P (KKR, USA) acquire within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertakings Holding AVR-Bedrijven NV (AVR, Netherlands) and NV Afvalverwerking Rijnmond (NV AVR, Netherlands) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for CVC and KKR: Private equity investment;

¹ OJ L 24, 29.1.2004 p. 1

- for AVR and NV AVR: Collection, processing and management of hazardous and non-hazardous waste.
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(b) 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