

***Case No COMP/M.5023 -  
COFATHEC / EDISON***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 29/02/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 29/02/2008

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PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party

Dear Sirs,

**Subject: Case No. COMP/M.5023 - COFATHEC/ EDISON  
Notification of 25 January 2008 pursuant to Article 4 of Council Regulation (EC) No. 139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No. C031 of 05 February 2008, page 18**

1. On 21 February 2008, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertaking Cofatech Servizi SpA ("Cofatech Servizi", Italy) belonging to the Gaz de France Group ("Gaz de France", France), acquires within the meaning of Article 3(1)(b) of the Council Regulation control of part of Edison SpA<sup>2</sup> ("Edison, Italy") active in electricity generation ("the Target", Italy) by way of purchase of assets and shares.
2. The business activities of the undertakings concerned are:
  - for Cofatech Servizi: energy management, installation and maintenance services in Europe,
  - for Gaz de France: supply of gas and electricity in Europe,
  - for the Target: production of combined electricity and steam (thermoelectric cogeneration) in Italy.

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<sup>1</sup> OJ L 24, 29.1.2004 p. 1

<sup>2</sup> Consisting of thermoelectric cogeneration plants located in Acerra, Catelmasa, Narni, Settimo Torinese and Spinetta Marengo as well as the Celano Plant and the Boffalora Plant (Italy).

3. 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 c of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004.
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 (EC) No. 139/2004.

For the Commission  
(*signed*)  
Philip LOWE  
Director General