

***Case No COMP/M.6508 -  
GIP / FLUXYS G /  
FLUXYS  
SWITZERLAND***

Only the English text is available and authentic.

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

---

Article 6(1)(b) NON-OPPOSITION  
Date: 27/04/2012

***In electronic form on the EUR-Lex website under document  
number 32012M6508***



EUROPEAN COMMISSION

Brussels, 27/04/2012  
C(2012) 3018

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties :**

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

**Subject:** Case No COMP/M.6508 - GIP / FLUXYS G / FLUXYS SWITZERLAND  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>1</sup>

1. On 22.03.2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which, on the one hand, the undertakings Global Infrastructure Partners-A1 LP, Global Infrastructure Partners-B LP and Global Infrastructure Partner-C LP ("GIP", USA), that are companies ultimately jointly controlled by General Electric Company ("GE", USA), and Credit Suisse Group ("Credit Suisse", Switzerland) and, on the other hand, Fluxys G SA ("Fluxys", Belgium), ultimately controlled by Publigas (Belgium), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking FluxSwiss SA ("FluxSwiss", Switzerland), by way of purchase of shares. Currently FluxSwiss is a wholly owned subsidiary of Fluxys.<sup>2</sup>
2. The business activities of the undertakings concerned are:

---

<sup>1</sup> OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

<sup>2</sup> Publication in the Official Journal of the European Union No C93,30/03/2012, p.34

- for GIP : investment fund specialised in infrastructure and infrastructure-related assets worldwide;
- for Fluxys: operates natural gas transmission infrastructure in Europe;
- for FluxSwiss: manages a natural gas pipeline in Switzerland;
- for GE: a diversified company that is also active in supplying goods and services to natural gas infrastructure and financial lending to gas production and exploration projects;
- for Credit Suisse: financial services.

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>3</sup>.

4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

*For the Commission*

*(signed)*  
*Alexander ITALIANER*  
*Director General*

---

<sup>3</sup> OJ C 56, 5.3.2005, p. 32.