

EN

***Case No COMP/M.6530 -
EDF / EDISON***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 10/05/2012

***In electronic form on the EUR-Lex website under document
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EUROPEAN COMMISSION

Brussels, 10/05/2012
C(2012) 3232

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party :

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

**Subject: Case No COMP/M.6530 - EDF / EDISON
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 10/05/2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Electricité de France S.A. ("EDF", France) acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over Edison S.p.A. ("Edison", Italy), by way of a purchase of shares. Edison is currently jointly controlled by EDF and A2A S.p.A. (Italy)².
2. The business activities of the undertakings concerned are:
 - for EDF: generation and wholesale supply of electricity, transmission, distribution, retail supply and other electricity-related services in France and other countries, including Italy, as well as wholesale and retail supply of natural gas.

¹ 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.

² Publication in the Official Journal of the European Union No C 106, 12/04/2012, p.4

- for Edison: generation, trading, wholesale and retail supply of electricity and exploration, production, transportation, storage, distribution, wholesale and retail supply of natural gas, in Italy.

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(d) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004³.

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

³ OJ C 56, 5.3.2005, p. 32.