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**COMP/M. 4993 - EDF / EnBW / KOGENERACJA**

**SECTION 1.2**

**Description of the concentration**

1. On 11 February 2009, the Commission received a notification of a concentration whereby EDF and EnBW acquire joint control of Kogeneracja directly or through affiliates.
2. EDF and EnBW are both active in the energy sector across Europe. EDF is based in Paris and EnBW is based in Germany.
3. Kogeneracja is also active in the electricity and heat sectors but its activities are limited exclusively to Poland.
4. The effects of the Transaction are limited to Poland. The increase in the Parties' aggregate market share, if any, is incremental. Their combined market share remains below 15% in each market concerned by the Transaction. There are no reportable markets.
5. The Transaction qualifies for treatment under the Simplified Procedure pursuant to point 1.1 of Annex II to the Implementing Regulation<sup>1</sup>.

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<sup>1</sup> Commission Regulation (EC) No 802/2004 of 7 April 2004 implementing Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings.