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COMP/M.6450 – EDF/ERSA

SECTION 1.2

Description of the concentration

The notified transaction consists in the acquisition by Electricité de France S.A. (“**EDF**”), through its wholly-owned subsidiary EDF International (“**EDFI**”), of sole control over Elektrownia Rybnik S.A. (“**ERSA**”), which is currently jointly controlled by EDF and Energie Baden-Württemberg AG (“**EnBW**”).

EDF is active in the energy sector across Europe, including in Poland, where it is mainly engaged in the generation and wholesale trading of electricity, as well as in the generation of heat. ERSA is also active in the energy sector (mainly in generation, wholesale trading and retail supply of electricity) but exclusively in Poland.

The effects of the notified transaction will therefore be limited to Poland.

The notified transaction follows the acquisition by EDF and EnBW of joint control over ERSA, which has been authorised by the Commission on 11 March 2009¹, and qualifies for treatment under the Simplified Procedure.

¹ COMP/M.4998, EDF/EnBW/ERSA.