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**COMP/M.6989 - Aqualia/ Mitsui/ Severomoravske vodovody a kanalizace Ostrava/
Aqualia Infraestructuras Inzenyring**

SECTION 1.2

Description of the concentration

On 5 August 2013, the Commission received a notification of a proposed concentration pursuant to Article 4(1) of Council Regulation (EC) 139/2004 by which the undertakings Mitsui and Aqualia will acquire joint control of SmVaK and AII. SmVaK is currently a subsidiary of Aqualia Czech, S.L. which holds 98.68% of the shares in SmVaK, and Aqualia Czech S.L. is a wholly owned subsidiary of Aqualia. AII is wholly owned by Aqualia Infraestructuras, which is a 100% subsidiary of Aqualia.

Following completion of the Proposed Transaction, SmVaK and AII would be jointly controlled by Aqualia (which will hold 51% of the shares in Aqualia Czech and AII) and Mitsui (which will hold 49% of the shares in Aqualia Czech and AII) and each shareholder would have sufficient rights such that they could exercise joint control over SmVaK and AII.

The business activities of the undertakings concerned are:

- (i) for **Mitsui**: trading house engaged in business areas such as iron and steel, non-ferrous metals, electronics, chemicals, energy-related commodities, motor vehicle and motorcycle parts and accessories and investing in infrastructure assets;
- (ii) for **Aqualia**: rendering services for the treatment, recovery, disposal and purification of solid and liquid waste and drinking water; execution and preservation of water related civil works, construction and infrastructure; management of the whole water cycle, gathering, transportation, treatment and distribution of water;
- (iii) for **SmVaK**: water distribution, wastewater treatment and operation and maintenance of water and wastewater treatment facilities;
- (iv) for **AII**: design and provision of water and wastewater treatment systems for industrial purposes and for systems for municipalities and the analysis of potable, surface waters, groundwater and wastewater, analyses of water and sewage sludge and water sampling.

In view of the absence of any horizontal overlaps or vertical relations in the EEA between Mitsui and the Target Companies, the Notifying Parties submit that the Proposed Transaction will not give rise to any competitive concerns.