

***Case No COMP/M.5832 -  
AVELAR/ ENOVOS/  
AVELEOS***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 07/05/2010

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EUROPEAN COMMISSION

Brussels, 7.5.2010  
SG-Greffe(2010) D/6753 D/6754  
C(2010) 3122

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

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

**Subject: Case No COMP/M.5832 - AVELAR/ ENOVOS/ AVELEOS  
Notification of 12.04.2010 pursuant to Article 4 of Council Regulation (EC) No  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No C 101,  
20.04.2010, p.18**

1. On 12.04.2010, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Enovos Luxembourg S.A. ("Enovos", Luxembourg) and Avelar Energy Ltd. ("Avelar", Switzerland) controlled by Renova Holdings Ltd. ("Renova Group", Russia) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Aveleos S.A. ("Aveleos", Luxembourg), a newly created company constituting a joint venture, by way of purchase of shares.

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<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.

2. The business activities of the undertakings concerned are:
  - for Enovos: supply of gas and electricity mainly in Luxembourg and Germany;
  - for Avelar: trading, generation, and retail sales of conventional and renewable energy;
  - for Aveleos: will be active in the photovoltaic energy markets in several EU countries.
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>2</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 European Commission,  
*(Signed)*  
Alexander ITALIANER  
Director General

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<sup>2</sup> OJ C 56, 5.3.2005, p. 32.