

***Case No COMP/M.5879 -
ALSTOM/ RZD/ CYPRIOT
COMPANIES/ TMH***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 09/11/2010

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EUROPEAN COMMISSION

Brussels, 09.11.2010
SG-Greffe(2010) D/17853, 17854, 17855,
17856, 17857
C(2010) 7881

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.5879 - ALSTOM/ RZD/ CYPRIOT COMPANIES/ TMH
Notification of 01.10.2010 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 278, 15.10.2010
p.23**

1. On 01.10.2010, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Alstom Holdings ("Alstom", France), Russian Railways ("RZD", Russia), and certain Cypriot companies (Ammonis Trading Limited, Latorio Holdings Limited and Mafrido Trading Limited, together "the Cypriot Companies", Cyprus) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of CJSC Transmashholding ("TMH", Russia) by way of purchase of shares.

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. The business activities of the undertakings concerned are:
- for Alstom: group of companies active world-wide mainly in the manufacture of equipment and the provision of services for power generation, power transmission, and rail transport.
 - for RZD: state-owned railway company and rail operator in Russia and in certain CIS states.
 - for the Cypriot Companies: financial investment companies whose activities are limited to indirectly holding shares of TMH.
 - for TMH: manufacture and maintenance of locomotives and rail equipment active mainly in Russia and some EEA states.
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 139/2004².
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

² OJ C 56, 5.3.2005, p. 32.