

***Case No COMP/M.5965 -
BROOKFIELD/ PRIME***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 14/10/2010

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EUROPEAN COMMISSION

Brussels, 14.10.2010
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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M.5965 - BROOKFIELD/ PRIME
Notification of 14.09.2010 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 254,
22.09.2010, p. 5.**

- (1) On 14.09.2010, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Brookfield Asset Management Inc. ("Brookfield", Canada) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Prime Infrastructure Group ("Prime", Australia), by way of purchase of securities.
2. The business activities of the undertakings concerned are:
 - for Brookfield: investment in property, renewable power and infrastructure assets;

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.

- for Prime: management of an international portfolio of infrastructure assets, mainly in distribution and transmission of energy and transport..
4. 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(b) 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