

*Case No COMP/M.2357 -
VATTENFALL /
HAMBURGER
ELECTRIZITÄTSWERK
E / NORDIC
POWERHOUSE*

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION

Date: 13/03/2001

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 13.03.2001
SG(2001)D/286740

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Sirs,

**Subject: Case No. COMP/M. 2357 - VATTENFALL / HAMBURGER
ELECTRIZITÄTSWERKE / NORDIC POWERHOUSE**

Notification of 12/02/2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹

Publication in the Official Journal of the European Communities No. C 53, 20/02/2001, p. 12.

1. On 12.02.2001, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 by which the undertakings Vattenfall AB (Vattenfall), Sweden, and Hamburger Elektrizitätswerke Aktiengesellschaft (HEW), Germany, acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Nordic Powerhouse GmbH (NPH), Germany, by way of purchase of shares in a newly created company constituting a joint venture.

The business activities of the undertakings concerned are :

- for undertaking Vattenfall: generation, transmission, distribution and supply of electricity

¹ OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

- for undertaking HEW : generation, transmission, distribution and supply of electricity
 - for undertaking NPH : physical and financial trading of energy products
2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
 3. To the extent that restrictions specified by the parties are directly related and necessary to the implementation of the concentration, these restrictions are covered pursuant to Article 6(1)(b), second subparagraph, of Council Regulation (EEC) No. 4064/89.
 4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EEC) No. 4064/89.

For the Commission,

Anna Diamantopoulou
Member of the Commission
(*signed*)

² OJ C 217, 29.07.2000, p. 32.