

***Case No COMP/M.2414 -
VATTENFALL / HEW***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 02/05/2001

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

Brussels, 02.05.2001

SG (2001) D/288295

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

Dear Madam and/or Sir,

**Subject: Case No. COMP/M. 2414 - Vattenfall/HEW
Notification of 23 March 2001 pursuant to Article 4 of Council Regulation
(EEC) No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 104,
04.04.2001, page 8**

1. On 23 March 2001, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the Swedish undertaking Vattenfall AB (Vattenfall) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the German undertaking Hamburgische Electricitäts-Werke Aktiengesellschaft (HEW) by way of purchase of shares.

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.
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 b of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
 3. 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

(signed)

Mario MONTI

Member of the Commission

² OJ C 217, 29.07.2000, p. 32.