

***Case No COMP/M.2494 -  
DEBITEL / DEBITEL  
NEDERLAND***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 29/06/2001

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COMMISSION OF THE EUROPEAN COMMUNITIES

**Brussels, 29-06-2001**  
**SG (2001) D/289435**

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To the notifying party**

Dear Sir,

**Subject: Case No. COMP/M.2494 – DEBITEL / DEBITEL NEDERLAND**  
**Notification of 30.05.2001 pursuant to Article 4 of Council Regulation (EEC)**  
**No. 4064/89<sup>1</sup>**  
**Publication in the Official Journal of the European Communities**  
**No. C 165, 8 June 2001, page 16**

1. On 30.05.2001, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the German undertaking Debitel AG (“DebitelAG”) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the Dutch undertaking Debitel Nederland B.V. (“DebitelNL”) by way of purchase of shares. DebitelNL is at present jointly controlled by DebitelAG and Radio Holland B.V.

The business activities of the undertakings concerned are :

- for undertaking DebitelAG : Mobile telecommunication services, fixed line telephony and internet service provider in Germany
- for undertaking DebitelNL : Mobile telecommunication services and fixed line telephony in the Netherlands.

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<sup>1</sup> 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.

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 4064/89<sup>2</sup>.
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**  
**Mario Monti**  
**Member of the Commission**

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<sup>2</sup> OJ C 217, 29.07.2000, p. 32.