

***Case No COMP/M.2523 -
SIEMENS / AEM / E-
UTILE***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 23/11/2001

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23/11/2001

SG (2001) D/292316+292317

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

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

**Subject: Case No. COMP/M.2523 - SIEMENS/AEM/E-Utile
Notification of 19/10/2001 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 300,
26.10.2001, page 26**

1. On 19.10.2001, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertakings AEM S.p.A (Italy) and Siemens Informatica S.p.A (Italy), which is controlled by Siemens (Germany) and Telecom Italia, acquires within the meaning of Article 3(1)(b) of the Council Regulation joint control the undertaking E-Utile (Italy) by purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
 - E-Utile : IT-services for the utility sector in Italy
 - Siemens Informatica : IT-services in Italy

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.

- AEM : production, transmission, distribution and trading of electricity, distribution and trading of gas and heat as well as telecommunication network and services in northern Italy
3. 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.
 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

Signed,
Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.