

***Case No COMP/M.3350 -
NORSK HYDRO /
WINGAS /
HYDROWINGAS JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 02/02/2004

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

Brussels, 02/02/2004

SG-Greffe(2004) D/200360/61

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties via their legal
representative

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

**Subject: Case No. COMP/M.3350 – NORSK HYDRO / WINGAS / HYDROWINGAS JV
Notification of 22.12.2003 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹, as last amended by Regulation (EC) No 1310/97²
Publication in the Official Journal of the European Union No. C 321,
31/12/2003, page 50.**

1. On 22.12.2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which Norsk Hydro UK Ltd. (UK), ultimately controlled by Norsk Hydro ASA (“Norsk Hydro”, Norway) and WINGAS GmbH (“WINGAS”, Germany) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking HydroWingas Ltd (“HydroWingas”, UK) by way of purchase of shares in a newly created company constituting a joint venture.

The business activities of the undertakings concerned are:

¹ OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

² OJ L 180, 9. 7. 1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.

- for undertaking Norsk Hydro: aluminium, agriculture, oil, gas, energy production, chemicals and petrochemicals;
 - for undertaking WINGAS: transportation, storage and sale of natural gas;
 - for HydroWingas: supply and trading of natural gas.
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.(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89³.
 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
Mario MONTI, signed
Member of the Commission

³ OJ C 217, 29.07.2000, p. 32.