

***Case No COMP/M.3581 -  
T-MOBILE / POLSKA  
TELEFONIA CYFROWA***

Only the English text is available and authentic.

**REGULATION (EEC) No 139/2004  
MERGER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION  
Date: 28/10/2004

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

Brussels, 28-10-2004

SG (2004) D/205045

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To the notifying parties**

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

**Subject: Case No. COMP/M.3581 - T-Mobile/PTC**  
**Notification of 24/09/2004 pursuant to Article 4 of Council Regulation (EC) No. 139/2004<sup>1</sup>**  
**Publication in the Official Journal of the European Union No. C-247 of 6 October 2004, page 2**

1. On 24/09/2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking T-Mobile International AG & Co. KG belonging to the group Deutsche Telekom acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Polska Telefonia Cyfrowa ("PTC", Poland) by way of purchase of shares through a call option.
2. The business activities of the undertakings concerned are :
  - for undertaking T-Mobile: mobile telecommunication services in the EU and US.
  - for undertaking PTC : mobile telecommunication services in Poland.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph

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<sup>1</sup> OJ L 24, 29.1.2004 p. 1

5(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No139/2004<sup>2</sup>.

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 (EC) No. 139/2004.

For the Commission  
*(signed)*  
Mario MONTI  
Member of the Commission

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<sup>2</sup> Available on DG COMP website:  
[http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified\\_tru.pdf](http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf).