

***Case No COMP/M.3961 -
PERMIRA-KKR / SBS
BROADCASTING***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 07/10/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 07.10.2005

SG-Greffe(2005) D/205409

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party

**Subject: Case No. COMP/M.3961 – Permira-KKR/SBS Broadcasting
Notification of 02.09.05 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C 224,
13.09.2005, page 2**

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

1. On 02.09.2005, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking PKS Media S.à.r.l. (“PKS”, Luxembourg), jointly controlled by Permira Holdings Limited (“Permira”, Guernsey) and Kohlberg Kravis Roberts & Co. L.P. (“KKR”, USA), acquire within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking SBS Broadcasting SA (“SBS”, Luxembourg) by way of purchase of shares and assets.
2. The business activities of the undertakings concerned are:
 - for PKS: specially created acquisition vehicle;
 - for Permira : private equity fund;
 - for KKR : private equity investment company;

¹ OJ L 24, 29.1.2004 p. 1

- for SBS: free-to-air and pay television, radio broadcasting and publication of TV and radio guides.
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 5, subparagraph b, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².
 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

Neelie KROES

Member of the Commission

² OJ C 56, 05.3.2005 p.32