

***Case No COMP/M.3964 -
BERKSHIRE
HATHAWAY/MEHC***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 20/10/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20/10/2005

SG-Greffe(2005) D/205839

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party

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

**Subject: Case No. COMP/M.3964 – Berkshire Hathaway/MEHC
Notification of 20/09/2005 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 238,
28/09/2005, page 4**

1. On 20 September 2005, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertaking Berkshire Hathaway Inc. (“BHI”, USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the MidAmerican Energy Holdings Company (“MEHC”, USA) by way of converting its Preferred Stock into common voting shares.
2. The business activities of the undertakings concerned are:
 - for BHI : holding company mainly active in the provision of insurance services.
 - for MEHC: holding company mainly active in the generation, transmission, distribution and selling of electricity and gas.
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

¹ OJ L 24, 29.1.2004 p. 1

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