

***Case No COMP/M.4020 -
WINGAS / ZGHG / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 21/04/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 21/04/2006

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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Sirs,

**Subject: Case No. COMP/M.4020 Wingas/ZGHG/JV
Notification of 14.03.2006 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 71, 23.03.2006,
page 10.**

1. On 14.03.2006 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings ZMB Gasspeicher Holding GmbH (“ZGHG”, Austria) ultimately owned by OAO Gazprom (Russia) and Wingas GmbH (“Wingas”, Germany) solely controlled by BASF (Germany) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Wingas UK Storage Limited (“Wingas Storage”, United Kingdom) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
 - for Wingas: Europe-wide natural gas trading and marketing;
 - for ZGHG: sole purpose vehicle established to hold a stake in the JV;
 - for Wingas Storage: the construction and the operation of the storage facility in Saltfleetby

¹ OJ L 24, 29.1.2004 p. 1

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 (c) 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