

***Case No COMP/M.4127 -  
EDISON / EDF  
ENERGIA ITALIA***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 31/08/2006

***In electronic form on the EUR-Lex website under document  
number 32006M4127***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 31.08.2006

SG-Greffe(2006) D/204904

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.4127 – Edison/EDF Energia Italia  
Notification of 26/07/2006 pursuant to Article 4 of Council Regulation (EC) No.  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No. C184, 08/0/2006,  
page 6**

1. On 26/07/2006, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertaking Edison SpA (“Edison”, Italy) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking EDF Energia Italia Srl (“EEI”, Italy) by way of purchase of shares.
2. The business activities of the undertakings concerned are :

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

- for undertaking Edison: generation, transmission and supply of electricity, production, transportation, distribution and supply of hydro-carbons mainly in Italy;
  - for undertaking EEI: supply of electricity to eligible customers in Italy.
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. 139/2004<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  
Philip LOWE  
Director General

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<sup>2</sup> OJ C 56, 05.3.2005 p.32