

***Case No COMP/M.4327 -
EGIS / ALPINE /
HOCHTIEF /
AUSTRIAN HIGHWAY
A5***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 08/09/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 08.09.2006

SG-Greffe(2006) D/205046/47/48

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

Notifying parties:

Dear Sirs,

**Subject: Case COMP/M.4327 – Egis/Alpine/Hochtief/Austrian Highway A5
Notification of 03.08.2006 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Communities No. C188,
11/08/2006, page 2**

1. On 3.08.2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which Egis Projects S.A. (“Egis Projects”, France), Alpine Mayderer Bau GmbH (“Alpine Mayreder”, Austria) and Hochtief PPP Solutions GmbH (“Hochtief PPP”, Germany), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of a joint venture with the prospective name Bonaventura Straßenerhaltungs-GmbH (“Bonaventura Strassenerhaltung”, Austria) by way of purchase of shares in a newly created company constituting a joint venture.

¹ OJ L 24, 29.1.2004 p. 1.

2. The business activities of the undertakings concerned are:
- for Egis Projects: investment participations in infrastructure projects and concession contracts; negotiates and manages all financial, technical and operational stages of infrastructure projects
 - for Alpine Mayreder: construction company in the field of building constructions, road constructions, constructional engineering and tunnelling and communications engineering sector
 - for Hochtief PPP: services for large and complex Public Private Partnerships projects in the segment of toll roads and public-sector construction.
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 paragraphs 5(a) and 5(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
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32