

***Case No COMP/M.4328 -  
ADVENT / RWE / RWE  
INDUSTRIAL  
SOLUTIONS***

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: 17/07/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17/07/2006

**SG-Greffe(2006) D/204027**

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Sirs,

**Subject: Case No. COMP/M.4328 – Advent / RWE / RWE Industrial Solutions  
Notification of 12.6.2006 pursuant to Article 4 of Council Regulation (EC) No.  
139/2004<sup>1</sup>  
Publication (Case No. COMP/M. 4260 – Advent / RWE Solutions) in the  
Official Journal of the European Union No. C 146 of 22.6.2006, page 14**

1. On 12.6.2006, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 (“Merger Regulation”), by which the undertakings Advent International Corporation (“Advent”, USA) and RWE AG (“RWE”, Germany) acquire joint control over RWE Industrielösungen GmbH (“RWE Industrial Solutions”, Germany) within the meaning of Article 3(1)(b) of the Merger Regulation by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - Advent : Private equity company.
  - RWE : Energy, water, industrial services, crude oil and printing systems.
  - RWE Industrial Solutions: engineering, procurement and construction services.

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<sup>1</sup> 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 b 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