Case No COMP/M.4341 -
FCC / ALPINE

Only the English text is available and authentic.

REGULATION (EC) No 139/2004
MERGER PROCEDURE

Article 6(1)(b) NON-OPPOSITION
Date: 16/10/2006

In electronic form on the EUR-Lex website under document
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Brussels, 16.10.2006

SG-Greffe(2006) D/205849

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MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

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SIMPLIFIED PROCEDURE

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PUBLIC VERSION

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To the notifying party

Dear Madam/Dear Sir,

Subject: **Case No. COMP/M.4341 – FCC / ALPINE**
Notification of 12.09.2006 pursuant to Article 4 of Council Regulation (EC) No. 139/2004[1]
Publication in the Official Journal of the European Union No. C226, 20.09.2006, p.6

1. On 12.09.2006**,** the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which by which the undertaking FCC Construccion S.A. (Spain) belonging to the FCC group ("FCC", Spain) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Alpine Holding GmbH ("Alpine", Austria) by way of purchase of shares.

2. The business activities of the undertakings concerned are :

    - for FCC: construction, services, cement;

    - for Alpine: construction, civil engineering, services.

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[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. 139/2004[2].

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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[2]   OJ C 56, 05.3.2005 p.32