

***Case No COMP/M.4438 -
MACQUAIRIE /
THAMES WATER***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 28/11/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 28-XI-2006

SG-Greffe(2006) D/207195

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.4438 - MACQUARIE / THAMES WATER
Notification of 23.10.2006 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Communities No. C 268,
04.11.2006, page 22.**

1. On 23 October 2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Macquarie Bank Limited (“Macquarie”, United Kingdom), acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Thames Water Holdings plc (“Thames Water”, United Kingdom) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for undertaking Macquarie: financial and investment banking services;
 - for undertaking Thames Water: provision of water and sewerage services in a designated area in and around London.
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

¹ OJ L 24, 29.1.2004 p. 1.

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
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p. 32.