

***Case No COMP/M.4474 -  
BC PARTNERS /  
TECHEM***

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: 22/12/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22/12/2006

SG-Greffe(2006) D/208478

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

**To the Notifying parties:**

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.4474 - BC PARTNERS / TECHEM  
Notification of 22.11.2006 pursuant to Article 4 of Council Regulation (EC) No.  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No. C290,  
29.11.2006, p.31**

1. On 22 November 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 CIE Management II Limited ("CIEM", Guenersey), general partner and manager of BC European Capital VIII ("BC", Guenersey), acquires control within the meaning of Article 3(1)(b) of the Council Regulation of the whole of Techem AG ("TECHEM", Germany), a German public listed company, by means of a public takeover bid addressed to Techem's shareholders, announced on 22 November 2006.
2. The business activities of the undertakings concerned are:
  - for CIEM : general partner and manager acting for BC ;
  - for BC : private equity fund;
  - for TECHEM : sub-metering of utilities consumption and the market for energy contracting.

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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 c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004.
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 by Lowri Evans on behalf of  
Philip LOWE  
Director General