

***Case No COMP/M.4559 -
BALFOUR BEATTY /
GALAXY / EXETER
AIRPORT***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 12/03/2007

***In electronic form on the EUR-Lex website under document
number 32007M4559***



EUROPEAN COMMISSION

Competition DG

Director General

Brussels, 12/03/2007

COMP SG-Greffe(2007) D/201167

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

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

**Subject: Case No COMP/M.4559 - Balfour Beatty/Galaxy/Exeter Airport
Notification of 5.02.2007 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C 031,
13.02.2007, p.32**

1. On 5 February 2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Balfour Beatty plc ("Balfour Beatty", UK) belonging to the group Balfour Beatty and Galaxy S.àr.L ("Galaxy", Luxembourg) controlled by Caisse des dépôts et consignations and Cassa Depositi e Prestiti SPA acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Exeter and Devon Airport Limited ("EDAL", UK), by way of purchase of shares.

¹ OJ L 24, 29.1.2004 p. 1

2. The business activities of the undertakings concerned are:
 - for undertaking Balfour Beatty: building, engineering and asset investment.
 - for undertaking Galaxy: transport and infrastructure equity fund.
 - for undertaking EDAL: owner and operator of Exeter International Airport.
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. 139/2004².
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