

***Case No COMP/M.4620 -
SWISSCOM / FASTWEB***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 10/05/2007

***In electronic form on the EUR-Lex website under document
number 32007M4620***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10/05/2007

SG-Greffe(2007) D/202781

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

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

**Subject: Case No. COMP/M.4620 – Swisscom/Fastweb
Notification of 29/03/2007 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 079 on 12/04/2007 page 12**

1. On 29 March 2007, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertaking Swisscom Italia s.r.l., belonging to the group Swisscom ("Swisscom"; Switzerland), acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of Fastweb S.p.A. ("Fastweb"; Italy) by way of a public bid announced on 12 March 2007.
2. The business activities of the undertakings concerned are:
 - for Swisscom : telecommunication (among which international carrier services), broadcasting and multimedia services;

¹ OJ L 24, 29.1.2004 p. 1

- for Fastweb: fixed voice, broadband and IPTV services.
- 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 sub 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