

***Case No COMP/M.4634 -  
SABANCI / VERBUND /  
ENERJISA JV***

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: 30/05/2007

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 30-V-2007

SG-GreffeD/203256

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.4634 – Sabanci/Verbund/Enerjisa/JV  
Notification of 30/04/2007 pursuant to Article 4 of Council Regulation (EC) No. 139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No. C 107 of 11.05.2007, page 27.**

1. On 30/04/2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Österreichische Elektrizitätswirtschafts-Aktiengesellschaft ("Verbund", Austria) and H.Ö. Sabanci Holding A.S. ("Sabanci", Turkey) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Enerjisa Enerji Üretim A.S. ("Enerjisa", Turkey) by way of purchase of shares in an existing company, which will constitute a joint venture.
2. The business activities of the undertakings concerned are:
  - Verbund: generation, transmission, supply and trading of electricity;
  - Sabanci: industrial and financial conglomerate that controls more than 60 companies in various business areas including energy via Enerjisa;
  - Enerjisa: generation, supply and trading of electricity.

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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, subparagraphs (a) and (b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004<sup>2</sup>.
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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<sup>2</sup> OJ C 56, 05.3.2005 p.32