

***Case No COMP/M.4654 -
IPR / MITSUI (UK
Electricity generation
business)***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 24/05/2007

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24.05.2007

SG-Greffe(2007) D/203083/4

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

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

**Subject: Case COMP/M.4654 - IPR/ Mitsui (UK Electricity generation business)
Notification of 19/04/2007 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 91 of 26-04-2007, page 42.**

1. On 19 April 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 International Power plc ("IPR", United Kingdom) and Mitsui & Co., Ltd. ("Mitsui", Japan) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertakings Deeside Power Development Company Limited ("Deeside", United Kingdom), Rugeley Power Limited ("Rugeley", United Kingdom), International Power IQ Limited ("Indian Queens", United Kingdom) and International Power Fuel Company Limited ("IPFC", United Kingdom), currently solely controlled by IPR, by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
 - for IPR: generation of electricity in the United Kingdom and in countries outside the EU,
 - for Mitsui: trading in various commodity businesses worldwide,
 - for Deeside, Rugeley and Indian Queens: generation of electricity in the United Kingdom,

¹ OJ L 24, 29.1.2004 p. 1

- for IPFC: coal and biomass purchasing.
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