

***Case No COMP/M.5092 -  
GDF / SUEZ /  
TEESSIDE POWER***

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: 21/04/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 21/IV/2008

SG-Greffe(2007) D/201864/201865

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.5092 - GDF/ SUEZ/ TEESSIDE POWER**

**Notification of 17.03.2008 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.77 of 28  
March, page 19**

1. On 17.03.2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Gaz de France ("GDF", France), through its subsidiary GDF International, and Suez ("Suez", France), through its subsidiary Electrabel, acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Teesside Power Limited ("TPL", United Kingdom) by way of purchase of shares.
2. The business activities of the undertakings concerned are:

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<sup>1</sup> OJ L 24, 29.1.2004 p. 1

-for GDF: active in the gas sector at all levels, in electricity generation, electricity retail, and in energy services;

-for Suez: active in the gas and electricity sectors, in energy services and in water and environmental services.

-for TPL: electricity generation in the UK. TPL owns a combined Cycle Gas Turbine CHP plant located at Wilton, Teesside, which generates electricity and steam.

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 c, 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