

***Case No COMP/M.5115 -  
ENGLEFIELD /  
COGNETAS /  
MORRISON UTILITY  
SERVICES***

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: 25/04/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25-IV-2008  
SG-Greffe(2008) D/201954/201955

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.5115 - ENGLEFIELD/ COGNETAS/ MORRISON  
UTILITY SERVICES  
Notification of 19.03.2008 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 78 of 29  
March 2008, page 14**

1. On 19.03.2008, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which Englefield Capital LLP ("Englefield", United Kingdom) and Cognetas Fund II (GP) Limited ("Cognetas", United Kingdom) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Morrison Utility Services Limited ("Morrison Utility", United Kingdom) by way of purchase of shares.

The business activities of the undertakings concerned are:

- for Englefield: diversified private equity fund,
- for Cognetas: diversified private equity fund,
- for Morrison Utility: utility infrastructure installation and maintenance including meter operation in the water, gas and electricity sector in the UK.

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

2. 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. 139/2004<sup>2</sup>.
3. 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