

***Case No COMP/M.5235 -  
SABANCI / VERBUND /  
BASKENT***

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: 25/08/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25-VIII-2008  
SG-Greffe(2008) D/205217/205218  
C(2008)4688

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.5235 - SABANCI/ VERBUND/ BASKENT  
Notification of 22.7.2008 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 194 of  
31/07/2008, page 19**

1. On 22.07.2008, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by the undertakings H.Ö. Sabanci Holding A.S. ("Sabanci", Turkey) and Österreichische Elektrizitätswirtschafts-Aktiengesellschaft ("Verbund", Austria) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Başkent Elektrik Dağıtım ("Baskent", Turkey) by way of purchase of shares.

The business activities of the undertakings concerned are :

- for Sabanci: Turkish industrial and financial conglomerate
- for Verbund: generation and transmission of, trading in, and supplies to private and industrial end customers of electricity.
- for Baskent: distribution and retail sale of electric energy in Turkey

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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 a 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.