

***Case No COMP/M.5370 -
CEZ / AKKOK / SEDAS /
AKENERJI***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 24/02/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24/02/2009
SG-Greffe(2009) D/1139/1140
C(2009)1360

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.5370 - CEZ/ AKKOK/ SEDAS/ AKENERJI
Notification of 22.01.2009 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 24, 30.01.2009,
p.17**

1. On 22.01.2009, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which CEZ, a.s. ("CEZ", Czech Republic) belonging to the CEZ Group and Akkok Sanayi Yatirim ve Gelistirme A.S. ("Akkok", Turkey) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Akenerji Elektrik Uretim A.S. ("Akenerji", Turkey) by way of purchase of shares. Subsequently, CEZ and Akkok acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Sakarya Elektrik Dagitim A.S. ("Sedas", Turkey) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for CEZ: generation, distribution and sale of electricity, heat and coal mining, amongst other activities;

¹ OJ L 24, 29.1.2004, p. 1.

- for Akkok : energy, chemicals, textile, real estate, amongst others;
 - for Akenerji: generation of electricity and steam;
 - for Sedas: distribution and sale of electricity.
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(b) 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.