

***Case No COMP/M.5510 -
ATLANTIA / SIAS /
ACCIONA / ITINERE
CHILEAN ASSETS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 26/06/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.6.2009
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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties:

**Subject: Case No COMP/M.5510 – ATLANTIA/SIAS/ ACCIONA/ ITINERE
CHILEAN ASSETS
Notification of 25/05/2009 pursuant to Article 4 of Council Regulation
(EC) No. 139/2004¹
Publication in the Official Journal of the European Union No C 125 of 5
June 2009, p. 33.**

Dear Sirs,

1. On 25/05/2009, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Società Iniziative Autostradali e Servizi S.p.A. ("SIAS", Italy) acquires within the meaning of Article 3(1)(b) of the Council Regulation joint control, together with Atlantia s.p.a. ("Atlantia", Italy) and Atlantia and Acciona S.A. ("Acciona", Spain) respectively, of five Chilean toll motorways (Operación y Logística de Infraestructuras; Litoral Central; Vespucio Sur; Gestión Vial and Autopista Nororiental) ("Itínere Chilean assets") by way of a purchase of shares.

¹ OJ L 24, 29.1.2004, p.1

The business activities of the undertakings concerned are:

- for SIAS: motorway management, construction and road transport of goods sectors;
 - for Atlantia: toll motorways in Italy and abroad;
 - for Acciona: infrastructures, energy, water and concession services in Spain abroad;
 - for the Itinere Chilean assets: toll motorways in Chile.
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 paragraphs 5(a) and 5(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
 3. For the above reasons, 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, 05.03.2005, p.32