

***Case No COMP/M.5522 -
MITSUBISHI
CORPORATION /
ACCIONA ENERGIA
INTERNACIONAL /
AMPER***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/07/2009

***In electronic form on the EUR-Lex website under document
number 32009M5522***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.7.2009
SG-Greffe(2009) D/ 4311
C(2009) 5799

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.5522 – MITSUBISHI CORPORATION/ ACCIONA ENERGIA INTERNACIONAL/ AMPER
Notification of 18.06.2009 pursuant to Article 4 of Council Regulation (EC) No 139/2004¹
Publication in the Official Journal of the European Union No C 146,
26.06.2009, p.60**

1. On 18.06.2009 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which Acciona Energia Internacional S.A.U. ('Acciona', Spain) belonging to the Acciona Group and Mitsubishi Corporation ('MC', Japan) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Amper Central Solar S.A. ('Amper', Portugal), a company constituting a joint venture, by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for Acciona: development and management of infrastructure and real estate projects, provision of transport, urban and environmental services, as well as development and operation of renewable energy projects,

¹ OJ L 24, 29.1.2004, p. 1.

- for MC: trading in a high number of industries, including energy, metals, machinery, chemicals, food and general merchandise,
 - for Amper: generation and wholesale supply 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 (c) 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.