

***Case No COMP/M.5691 -
MUBADALA/ VEOLIA
EAU / AZALIYA***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 01/12/2009

***In electronic form on the EUR-Lex website under document
number 32009M5691***



EUROPEAN COMMISSION

Brussels, 01/12/2009
SG-Greffe(2009) D/10866/10867
C(2009) 9818

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.5691 - MUBADALA/ VEOLIA EAU/ AZALIYA
Notification of 04.11.2009 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 271,
12.11.2009, p. 17**

1. On 04.11.2009 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking MDC – V Holdings Sarl ("MDC" United Arab Emirates), belonging to the Mubadala Development Company PJSC ("Mubadala" United Arab Emirates) and Veolia Eau Compagnie Générale des Eaux S.C.A. ("Veolia Eau" France) belonging to Veolia Environment ("VE" France) acquire within the meaning of Article 3(1)(b) of the Council Regulation (EC) No 139/2004 joint control of Azaliya ("Azaliya" France) by way of contract.

The business activities of the undertakings concerned are:

- for Mubadala: private direct principal investments,
- for Veolia Eau: water supply services and wastewater treatment,

¹ OJ L 24, 29.1.2004, p. 1.

- for Azaliya: outsourced management of water supply and water treatment solutions.

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(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
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

² OJ C 56, 05.3.2005, p. 32.