

***Case No COMP/M.5971 -  
PPC / URBASER / JV***

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: 17/12/2010

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EUROPEAN COMMISSION

Brussels, 17.12.2010  
SG-Greffe(2010) D/20702/20703  
C(2010)9494 final

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.5971 - PPC / URBASER / JV  
Notification of 17.11.2010 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 320,  
25.11.2010, p.28**

1. On 17.11.2010, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which URBASER S.A. ("Urbaser", Spain), controlled by ACS Group ("ACS", Spain) and Public Power Corporation S.A. ("PPC", Greece), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of a newly constituted joint venture in Greece, by way of purchase of shares.

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<sup>1</sup> OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

2. The business activities of the undertakings concerned are:
  - for Urbaser: treatment and management of waste in several countries worldwide;
  - for PPC: mining and generation, transmission, distribution and supply of electricity in Greece.
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>2</sup>.
4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

*For the Commission*

*(Signed)*  
*Alexander ITALIANER*  
*Director General*

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<sup>2</sup> OJ C 56, 5.3.2005, p. 32.