

***Case No COMP/M.6155 -
GEM / DEME /
ELECTRAWINDS
OFFSHORE / SRIWE / Z-
KRACHT / POWER@SEA /
RENT A PORT ENERGY/
SOCOFE / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 06/06/2011



EUROPEAN COMMISSION

Brussels, 6.6.2011
C(2011) 4145 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties :

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.6155 - GEM / DEME / ELECTRAWINDS OFFSHORE / SRIWE / Z-KRACHT / POWER@SEA / RENT A PORT ENERGY/ SOCOFE/ JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 05/05/2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which by which (i) Groene Energie Maatschappij NV ("GEM", Belgium) controlled by Aspiravi Holding, (ii) Dredging Environmental & Marine Engineering NV ("Deme", Belgium) controlled by Ackermans& Van Haaren and CFE, (iii) Electrawinds Offshore NV ("Electrawinds Offshore", Belgium) controlled by Electrawinds N.V., (iv) S.R.I.W. Environnement SA ("SRIWE", Belgium) controlled by SRIW group, (v) Z-Kracht NV ("Z-Kracht", Belgium) controlled by Nutesbedrijven Houdstermaatschappij NV, (vi) Power@Sea NV ("Power@Sea", Belgium) controlled by Deme, SRIWE, Socofe and Techno@Green NV., (vii) Rent-A-Port Energy NV ("Rent-A-Port Energy", Belgium), (viii) Socofe SA ("Socofe", Belgium) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint

¹ 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.

control of Otary RS NV (Otary, Belgium), a newly created company constituting a joint venture².

2. The business activities of the undertakings concerned are:
 - for Deme: dredging and land reclamation, hydraulic engineering, environmental services, extraction, processing and supply of marine aggregates for the construction industry, and project development;
 - for Rent-A-Port Energy: a special purpose vehicle created to hold the participation of its parent companies, namely, Ackermans& Van Haaren and CFE, in Otary;
 - for Electrawinds Offshore: activities in generation of electricity via wind turbines, biomass plants and solar parks;
 - for SRIWE: promoting environmental management in Wallonia, by acquiring a stake in companies working in this sector;
 - for Z-Kracht: promoting sustainability and innovation via participations in various companies, with a specific focus on companies producing renewable energies;
 - for GEM: participation in projects for the production of renewable energy;
 - for Socofe: investments in companies providing services to local authorities in the field of energy, waste management, water cycle management and information technologies;
 - for Power@Sea: investor in the field of offshore wind farms;
 - Otary: generation and wholesale supply of electricity and the provision of wind farm development services to third parties.
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 139/2004³.
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

² Publication in the Official Journal of the European Union No C 146, 17.05.2011, p.15

³ OJ C 56, 5.3.2005, p. 32.