

***Case No COMP/M.6233 -
FOEW / DONG ENERGY /
NOVASION / AALBORG
UNIVERSITET /
UNIVERSAL
FOUNDATION***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 27/07/2011

***In electronic form on the EUR-Lex website under document
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EUROPEAN COMMISSION

Brussels, 27.7.2011
C(2011) 5565 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.6233 – FOEW / DONG ENERGY / NOVASION / AALBORG UNIVERSITET / UNIVERSAL FOUNDATION
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 23/06/2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings FOEW (part of the Fred. Olsen Energy group with as ultimate parent Bonheur ASA) ('Bonheur', Norway), DONG Energy Power (a wholly-owned subsidiary of DONG Energy A/S) ('DONG', Denmark), Novasion (Denmark), and Aalborg Universitet (Denmark) acquire within the meaning of Article 3(1)(b) joint control of MIG Business Development A/S (to be renamed Universal Foundation, pursuant to the transaction, Denmark) by way of purchase of shares and contract².
2. The business activities of the undertakings concerned are:
 - for MIG Business Development: sales, development and design of foundations for offshore wind turbines and met masts.
 - for Bonheur: shipping and offshore oil and gas exploitation.

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.

² Publication in the Official Journal of the European Union No C 193, 02/07/2011, p.21

- for DONG: exploration, production, generation, trading, sales and distribution of energy
 - for Novasion: a holding company, holding a minority share in MIG Business Development
 - for Aalborg Universitet Education and research
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(a) 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

³ OJ C 56, 5.3.2005, p. 32.