

***Case No COMP/M.6247 -
KKR/ VERSATEL***

Only the English text is available and authentic.

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

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

***In electronic form on the EUR-Lex website under document
number 32011M6247***



EUROPEAN COMMISSION

Brussels, 07/07/2011
C(2011)/5073

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M.6247 – KKR/ Versatel
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

- (1) On 09/06/2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking KKR & Co L.P. ("KKR", United States) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking Versatel AG ("Versatel", Germany) by way of purchase of shares.
- (2) The business activities of the undertakings concerned are:
 - KKR : the provision of a broad range of alternative asset management services to public and private market investors and capital markets solutions for the firm, its portfolio companies and clients;
 - Versatel : the provision of voice, data and internet services to business and residential customers, as well as the provision of interconnection services at the wholesale level.
- (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(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².

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 OJ C 177, 17.6.2011, p. 7.

- (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