

***Case No COMP/M.6290 -
PORR / TEERAG-ASDAG***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 20/07/2011

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EUROPEAN COMMISSION

Brussels, 20/07/2011
C(2011) 5371

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M. 6290 – PORR / TEERAG-ASDAG
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 16.06.2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Allgemeine Baugesellschaft — A. Porr Aktiengesellschaft ('PORR', Austria) jointly controlled by B&C Group and Ortner Group acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking Teerag-Asdag Aktiengesellschaft ('Teerag-Asdag', Austria) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - PORR is active in the construction industry, in particular in building construction, civil engineering, project development and road construction throughout Europe, the Middle East and North Africa,

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.

- Teerag-Asdag is a construction company mainly focusing on road construction.²
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 (d) 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 C188, 23.06.2011, p.30.

³ OJ C 56, 5.3.2005, p. 32.