

***Case No COMP/M.6356 -  
GE/ IR/ UEC/ 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: 27/10/2011

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Brussels, 27.10.2011  
C(2011)7883

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties**

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

**Subject: Case No COMP/M.6356 - GE/ IR/ UEC/ JV  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No  
139/2004<sup>1</sup>**

1. On 30.09.2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which General Electric Company ("GE", USA), INTER RAO UES ("IR", Russian Federation), and United Engine Corporation ("UEC", Russian Federation) acquire within the meaning of Article 3(1)(b) of the Merger Regulation indirect joint control of a newly created joint venture (JV, Russian Federation), by way of a purchase of shares<sup>2</sup>.
2. The business activities of the undertakings concerned are:
  - for the joint venture: manufacturing, marketing and selling heavy duty gas turbine generator units, primarily in the Russian Federation.
  - for GE: a global diversified manufacturing, technology and services company. GE Energy, the relevant GE business unit involved in the proposed concentration, supplies power generation and energy delivery technologies in a number of areas in the energy industry including coal, oil, natural gas and nuclear energy, as well as with renewable resources such as water, wind, solar and alternative fuels.
  - for IR: producing, selling and trading electric energy in the Russian Federation, other countries of the Commonwealth of Independent States (specifically Armenia, Moldova, Kazakhstan, Belarus and Ukraine), Georgia, China, Mongolia, Turkey, Finland, Lithuania, Latvia and Romania.

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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.

<sup>2</sup> Publication in the Official Journal of the European Union No C JO C 297 of 8.10.2011, p.8

- for UEC: producing engines for military and civil aviation, equipment of various strengths for generating electric and heat energy, gas pumping systems and marine gas turbine units.
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 139/2004<sup>3</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>3</sup> OJ C 56, 5.3.2005, p. 32.