

***Case No COMP/M.6552 - METSO POWER/ MW POWER***

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: 02/07/2012

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EUROPEAN COMMISSION

Brussels, 02/07/2012  
C(2012) 4674

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying party:**

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

**Subject: Case No COMP/M.6552 - METSO POWER/ MW POWER  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No  
139/2004<sup>1</sup>**

1. On 31/05/2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Metso Power Oy ("Metso Power", Finland), belonging to the Metso Corporation (Finland), acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of the undertaking MW Power Oy ("MW Power", Finland), by way of purchase of shares and securities. MW Power is currently jointly controlled by Metso Power and Wärtsilä Finland Oy.

2. The business activities of the undertakings concerned are:

- for Metso Power: active in the production of large and extra large biomass boiler plants and boiler systems for the paper and pulp industry;

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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.

- for MW Power: designs, manufactures, markets and sells medium- and small scale heat and power plants, focusing mainly on renewable fuel solutions<sup>2</sup>.

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 139/2004<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>2</sup> Publication in the Official Journal of the European Union No C 161, 07/06/2012, p.28

<sup>3</sup> OJ C 56, 5.3.2005, p. 32.