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***Case No COMP/M.6604 -
CPPIB / ATLANTIA /
GRUPO COSTANERA***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 11/06/2012

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EUROPEAN COMMISSION

Brussels, 11.06.2012
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PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.6604 - CPPIB / ATLANTIA / GRUPO COSTANERA
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 10 May 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the Canada Pension Plan Investment Board ("CPPIB", Canada) and Edizione S.r.l. ("Edizione", Italy), through its indirectly controlled company Atlantia S.p.A. ("Atlantia"), will acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Grupo Costanera S.A. ("Grupo Costanera", Chile) by way of purchase of shares².
2. The business activities of the undertakings concerned are:
 - CPPIB: professional investment management organization investing the assets of the Canada Pension Plan. CPPIB's investments range from fixed income to private equity, real estate, infrastructure and private debt. In the area of the operation of toll

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 144, 23.05.2012, p.5

motorways, CPPIB has a interest in the 407 toll motorway in Ontario, Canada, and in the M7 Westlink toll motorway in Sydney, Australia;

- Edizione: retail, food and beverage, mobility services, real estate and agriculture. Edizione also has interests in certain infrastructure assets, including rail stations and airports;
 - Atlantia: management of toll motorways, and provision of ancillary services, in Brazil, Chile, India, Italy and Poland;
 - Grupo Costanera: management of urban toll motorways, and provision of ancillary services, in Chile.
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.