

EN

***Case No COMP/M.6689 -  
IRIDIUM / LBEIP /  
DESARROLLO DE  
EQUIPAMIENTOS  
PUBLICOS***

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: 04/09/2012

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EUROPEAN COMMISSION

Brussels, 04.09.2012  
C(2012) 6203

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties:**

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

**Subject: Case No COMP/M.6689 – IRIDIUM / LBEIP / DESARROLLO DE EQUIPAMIENTOS PUBLICOS**  
**Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>1</sup>**

1. On 31 July 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Lloyds Bank European Infrastructure Partners ("LBEIP") belonging to the Lloyds Banking Group and Iridium Concesiones de Infraestructuras, S.A ("Iridium"), belonging to the group ACS acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking Desarrollo de Equipamientos Públicos, S.L. ("DEP") by way of purchase of shares<sup>2</sup>.
2. The business activities of the undertakings concerned are:

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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 240, 10/08/2012, p.25

- DEP is a transit transportation hubs concession management company.
  - Iridium manages and operates all types of government concessions involving transport and public infrastructure works.
  - ACS is a diversified construction and services group.
  - LBEIP is a pension fund manager, which invests in infrastructure projects.
  - The Lloyds Banking Group is a financial services group.
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.