

***Case No COMP/M.6810 - E.ON/ SABANCI/ ENERJISA***

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: 14/02/2013

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EUROPEAN COMMISSION

Brussels, 14.2.2013  
C(2013) 955 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties:**

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

**Subject: Case No COMP/M.6810 - EON/ SABANCI/ ENERJISA**  
**Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>1</sup>**

1. On 18 January 2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which E.ON SE ("E.ON", Germany) and Hacı Ömer Sabancı Holding A.Ş. ("Sabancı", Turkey), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Enerjisa Enerji A.Ş. ("Enerjisa", Turkey), by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for E.ON: worldwide supplier of power and gas;
  - for Sabancı: active in banking, insurance, energy, cement, food, retail and industrials, mainly in Turkey;
  - for Enerjisa: active in electricity, gas, steam, the voluntary carbon market, and metering of electricity, mainly in Turkey<sup>2</sup>.

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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 025, 26/01/2013, p.30.

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(b) 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.