

EN

***Case No COMP/M.6925 - ALLIANZ GROUP/ OMERS  
GROUP/ NET4GAS***

Only the English text is available and authentic.

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

---

Article 6(1)(b) NON-OPPOSITION  
Date: 17/07/2013

***In electronic form on the EUR-Lex website under document  
number 32013M6925***



EUROPEAN COMMISSION

Brussels, 17/07/2013  
C(2013) 4718 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties:**

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

**Subject: Case No COMP/M.6925 – ALLIANZ GROUP/ OMERS GROUP/ NET4GAS  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No  
139/2004<sup>1</sup>**

1. On 20.06.2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Allianz Infrastructure Luxembourg I S.à.r.l ("Allianz", Luxembourg), part of the Allianz Group ("Allianz Group", Germany), and Borealis European Holdings B.V. ("Borealis", the Netherlands), wholly owned by Ontario Municipal Employees Retirement System ("OMERS", Canada), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control over NET4GAS s.r.o. ("NET4GAS", Czech Republic), by way of a purchase of shares<sup>2</sup>.
2. The business activities of the undertakings concerned are:
  - for Allianz: a worldwide investment and management company for direct infrastructure investments of the Allianz Group (international financial services company);
  - for Borealis: a worldwide investment and management company for direct infrastructure investments of OMERS (Canadian pension funds);
  - for NET4GAS: active in the provision of gas transportation/transmission in the Czech Republic including gas transportation services to the border with Germany, Poland and Slovakia.

---

<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 182, 27.06.2013, p.15

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*

---

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