

EN

***Case No COMP/M.7136 -
MARUBENI / INCJ /
AGS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 07/02/2014

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EUROPEAN COMMISSION

Brussels, 7.2.2014
C(2014) 818 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

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

Subject: Case COMP/M.7136 - MARUBENI / INCJ / AGS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹

1. On 8 January 2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Marubeni Corporation ("Marubeni", Japan) and Innovation Network Corporation of Japan ("INCJ", Japan) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the Administração e Gestão de Sistemas de Salubridade, S.A. ("AGS", Portugal) by way of purchase of shares².
2. The business activities of the undertakings concerned are:
 - for Marubeni : active in the trading of goods and provision of services on a worldwide basis across many sectors, including the energy and energy related sectors as well as infrastructure-related sectors;
 - for INCJ : active in the provision of financial, technological and management support services to businesses as well as investments in green energy, electronics, IT and biotechnology and infrastructure-related sectors such as water supply on a worldwide level;

¹ OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation").

² Publication in the Official Journal of the European Union No C 013, 17.01.2014, p.10

- for AGS : active in the management, operation and maintenance of water and wastewater facilities in Portugal and in Brazil.
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 139/2004³.
 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 366, 14.12.2013, p. 5.