



EUROPEAN COMMISSION
DG Competition

***Case M.8347 - EQT FUND
MANAGEMENT / GETEC
ENERGIE HOLDING /
GETEC TARGET
COMPANIES***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 10/02/2017

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Brussels, 10.2.2017
C(2017) 1091 final

PUBLIC VERSION

To the notifying parties:

**Subject: Case M.8347 - EQT FUND MANAGEMENT/ GETEC ENERGIE HOLDING/
GETEC TARGET COMPANIES
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹ and Article 57 of the Agreement on the European Economic Area²**

Dear Sir or Madam,

1. On 18 January 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which EQT Fund Management S.à.r.l. ("EQT", Luxembourg) will acquire, within the meaning of Article 3(1)(b) of the Merger Regulation, joint control with Getec Energie Holding GmbH ("GEH GmbH", Germany) over (i) Getec Heat & Power AG; (ii) Getec Wärme & Effizienz AG; (iii) Getec Media AG; (iv) Getec shared services GmbH; (v) Getec Contracting GmbH (together "Getec Targets", Germany), by way of sale and purchase of shares.³
2. The business activities of the undertakings concerned are:
 - EQT is an investment fund that seeks to make investments in infrastructure and infrastructure-related assets and businesses in Northern Europe, Continental Europe and North America;
 - GEH GmbH is active within energy services in connection with energy production and distribution, optimising customers' energy supply in the form of heat, steam, cooling and electricity;
 - Getec Targets are specialised in energy contracting in Germany.

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 OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

³ Publication in the Official Journal of the European Union No C 026, 26.01.2017, p. 18.

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(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴
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 and Article 57 of the EEA Agreement.

For the Commission

(Signed)

Johannes LAITENBERGER

Director-General

⁴ OJ C 366, 14.12.2013, p. 5.