



EUROPEAN COMMISSION
DG Competition

***Case M.10051 - ALLIANZ SE /
TEF INFRA / UGG***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 11/12/2020

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EUROPEAN COMMISSION

Brussels, 11.12.2020
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PUBLIC VERSION

To the notifying parties

**Subject: Case M.10051 – ALLIANZ SE / TEF INFRA / UGG
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 November 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Allianz SE (“Allianz”, Germany) and Telefónica Infra, S.L.U. (“TEF Infra”, Spain), indirectly acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of Unsere Grüne Glasfaser GmbH & Co. KG (“UGG”, Germany), currently solely controlled by TEF Infra, by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for Allianz: ultimate parent company of the Allianz group. The Allianz group offers a comprehensive range of insurance and asset management products and services to both private and corporate customers in more than 70 countries.
 - for TEF Infra: on behalf of the Telefónica Group, management and monetisation of a portfolio of assets, focusing on the development and monetisation of towers, distributed antenna systems, data centres (including EDGE), and greenfield fibre and subsea cable projects, among others.
 - for UGG: the design, roll-out, operation and marketing of FTTH fibre optic networks in defined rural and semi-rural areas within 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 403, 26.11.2020, p. 11.

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)
Olivier GUERSENT
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.