

Prior notification of a concentration**(Case COMP/M.2778 — Hochtief/Volkswagen/JV)****Candidate case for simplified procedure**

(2002/C 81/05)

(Text with EEA relevance)

1. On 21 March 2002 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ⁽¹⁾, as last amended by Regulation (EC) No 1310/97 ⁽²⁾, by which the undertakings Hochtief Facility Management GmbH (HTMF), controlled by Hochtief AG (Hochtief), VW Kraftwerk GmbH (VWK) and Volkswagen Immobilien Service GmbH (VWI), both controlled by Volkswagen AG (VW), acquire, within the meaning of Article 3(1)(b) of the Regulation, joint control of car.e Facility Management GmbH (car.e Facility Management) by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

- HTMF: facility management, administrative and technical management of buildings,
- VWI: management and marketing of real estate, facility management for VW's plants,
- VWK: energy supply, planning and building of power stations, facility management for VW's plants.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Regulation (EEC) No 4064/89 ⁽³⁾, it should be noted that this case is a candidate for treatment under the procedure set out in the notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference COMP/M.2778 — Hochtief/Volkswagen/JV, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
J-70,
B-1049 Brussels.

⁽¹⁾ OJ L 395, 30.12.1989, p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

⁽²⁾ OJ L 180, 9.7.1997, p. 1; corrigendum: OJ L 40, 13.2.1998, p. 17.

⁽³⁾ OJ C 217, 29.7.2000, p. 32.