

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case COMP/M.7018 — Telefónica Deutschland/E-Plus)

(Text with EEA relevance)

(2013/C 351/07)

1. On 31 October 2013, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which Telefónica Deutschland Holding AG ('Telefónica Deutschland'), a German subsidiary of Telefónica SA (Spain), acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the assets, liabilities and contractual positions of and in relation to the current business of E-Plus Mobilfunk GmbH & Co. KG ('E-Plus', Germany) by way of a purchase of shares.

2. The business activities of the undertakings concerned are:

- Telefónica Deutschland is a mobile network operator active in Germany. It provides wireless telecommunication services such as voice, SMS, MMS and mobile data services as well as, to a lesser extent, fixed line telecommunication services, to end customers in Germany. Telefónica Deutschland also provides mobile call origination services, mobile call termination services, wholesale network access services, international roaming services and other mobile telecommunications services,
- E-Plus is also a mobile network operator active in Germany. E-Plus provides wireless telecommunications services such as voice, SMS, MMS and mobile data services to end customers in Germany. E-Plus also provides mobile call origination services, mobile call termination services, wholesale network access services, international roaming services and other mobile telecommunications services.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope the EC Merger Regulation. However, the final decision on this point is reserved.

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

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by e-mail to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.7018 — Telefónica Deutschland/E-Plus, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

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