Prior notification of a concentration
(Case No COMP/M.3554 — SERCO/NEDRAILWAYS/NORTHERN RAIL JV)
(2004/C 211/04)

(Text with EEA relevance)

1. On 13 August 2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1) by which the undertakings Serco Group plc ('Serco', UK) and NedRailways BV ('NedRailways', Netherlands), part of Dutch Railways, acquires within the meaning of Article 3(1)(b) of the Council Regulation joint control of the Northern passenger rail franchise ('Northern franchise', UK) which is currently operated by Arriva Trains Northern Ltd, controlled by Arriva plc (UK) and North Western Train Company Ltd, controlled by FirstGroup (UK), by way of purchase of shares in Northern Rail (UK), a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:
   — for Serco: transport services including rail and metro in the UK. Other public services including healthcare, education and transport,
   — for NedRailways: railway transport services, primarily in the UK,
   — for Northern franchise: provision of inter-urban railway passenger services in Northern England,
   — for Arriva Trains Northern Ltd and North Western Train Company Ltd: operation of the Northern passenger rail franchise.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. 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 (fax No +32/2/2964301 or 2967244) or by post, under reference number COMP/M.3554 — Serco/NedRailways/Northern Rail JV, to the following address:

European Commission
Directorate-General for Competition,
Merger Registry
J-70
B-1049 Bruxelles/Brussel

(1) OJ L 24, 29.1.2004, p. 1