Prior notification of a concentration  
(Case COMP/M.3708 — Apollo/DirecTV/Hughes Network Systems)

Candidate case for simplified procedure

(2005/C 55/02)

(Text with EEA relevance)

1. On 23 February 2005, 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 Apollo Group Inc. (Apollo), USA, and DirecTV Group Inc. (DirecTV), USA, belonging to News Corporation group, acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the newly created undertaking Hughes Network Systems LLC (HNS), USA, by way of purchase of shares.

2. The business activities of the undertakings concerned are:
   — for undertaking Apollo: Investment fund,
   — for undertaking DirecTV: Provision of digital television entertainment, broadband satellite networks and services, global video and data broadcasting,
   — for undertaking HNS: Broadband satellite networks and services, consumer satellite terminals and mobile satellite networks and equipment.

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. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 (2) 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 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 (No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.3708 — Apollo/DirecTV/Hughes Network Systems to the following address:

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Directorate-General for Competition,
Merger Registry
J-70
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