Prior notification of a concentration

(Case COMP/M.6497 — Hutchison 3G Austria/Orange Austria)

(Text with EEA relevance)

(2012/C 144/09)

1. On 7 May 2012, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1) by which the undertaking H3G Austria Holdings GmbH (H3G, Austria), an indirect wholly owned subsidiary of Hutchison Whampoa Limited (HWL Group, Hong Kong), acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking Orange Austria Telecommunication GmbH (Orange, Austria) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for H3G: H3G Austria Holdings is an indirect wholly-owned subsidiary of HWL Group. Its wholly-owned subsidiary Hutchison 3G Austria GmbH is a mobile network operator active in Austria,

— Orange is an Austrian mobile network operator. Orange and its parent company Styrol are currently owned by Stubai SCA, a wholly-owned subsidiary of Mid Europa Partners, and Orange Belgium SA, a wholly-owned subsidiary of France Télécom SA.

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.6497 — Hutchison 3G Austria/Orange Austria, to the following address:

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