

Prior notification of a concentration**(Case COMP/M.2659 — Fortum/Birka Energi)**

(2001/C 347/04)

(Text with EEA relevance)

1. On 29 November 2001 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 undertaking Fortum Oyj (Fortum), Finland, acquires, within the meaning of Article 3(1)(b) of the Regulation, control of the electricity business of Birka Energi AB (Birka Electricity Business), Sweden, by way of purchase of shares. Birka Energi AB is currently jointly owned by Fortum and Stockholms Stadshus AB.

2. The business activities of the undertakings concerned are:

- Fortum: generation, distribution and sale of power and heat and production, refining and marketing of oil and gas, related engineering, operation and maintenance services,
- Birka Electricity Business: generation, distribution and sales of electricity in Sweden, other related businesses such as operation, maintenance and technical consultation, heating business in Norway.

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.

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.2659 — Fortum/Birka Energi, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
Rue Joseph II/Jozef II-straat 70,
B-1000 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.