

Prior notification of a concentration
(Case COMP/M.3694 — Hochtief/ABB/JV)
Candidate case for simplified procedure

(2005/C 35/04)

(Text with EEA relevance)

1. On 31 January 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 HOCHTIEF Construction AG (Germany) controlled by HOCHTIEF AG (Hochtief, Germany), ABB Gebäudetechnik AG (Germany) controlled by ABB Ltd. ('ABB', Switzerland) and Landeshauptstadt Magdeburg ('City of Magdeburg', Germany) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Stadion Magdeburg GmbH & Co. KG ('Stadion Magdeburg', Germany) by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

- for undertaking Hochtief: planning, financing, construction and management of complex building projects,
- for undertaking ABB: power transmission and distribution, plant engineering and construction, automation technology, financial services,
- for City of Magdeburg: local self-government,
- for undertaking Stadion Magdeburg: construction and management of a sports stadium.

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.3694 — Hochtief/ABB/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.

⁽²⁾ Available on DG COMP website:

http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf.