

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION
POLICY

COMMISSION

Prior notification of a concentration

(Case COMP/M.5475 — Atlantia/Acciona/Itínere Chilean assets)

Candidate case for simplified procedure

(Text with EEA relevance)

(2009/C 31/12)

1. On 30 January 2009, 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 Atlantia S.p.A. (Italy) acquires, within the meaning of Article 3(1)(b) of the Council Regulation and together with the undertaking Acciona (Spain), joint control of part of the undertaking Itínere (Spain).

2. The business activities of the undertakings concerned are:

- for undertaking Atlantia: toll motorways in Italy and abroad,
- for undertaking Acciona: infrastructures, energy, water and concession services,
- for undertaking Itínere: the assets to which the notification refers are toll motorways in Chile.

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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.5475 — Atlantia/Acciona/Itínere Chilean assets, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Brussels

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.