

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION POLICY

COMMISSION

Prior notification of a concentration

(Case COMP/M.5507 — Q-Cells/Good Energies/Norsun/Sunfilm)

Candidate case for simplified procedure

(Text with EEA relevance)

(2009/C 104/05)

1. On 27 April 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 Q-Cells SE ('Q-Cells', Germany), Good Energies Investments 2 B.V. ('Good Energies', Netherlands, controlled by COFRA Holding AG, 'COFRA', Switzerland) and NorSun AS ('NorSun', Norway) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the Sunfilm AG ('Sunfilm', Germany) by way of purchase of shares and assets.

2. The business activities of the undertakings concerned are:

- Q-Cells: Manufacture and sale of solar cells, solar modules and complete solar energy systems,
- Good Energies: Investments in renewable energies companies, in particular in the photovoltaic and wind sectors,
- NorSun: Manufacture and sale of mono-crystalline silicon wafers, which are used for the production of solar cells and solar modules,
- Sunfilm: Manufacture and sale of solar modules based on tandem junction thin film silicon technology on glass.

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 2964301 or 2967244) or by post, under reference number COMP/M.5507 — Q-Cells/Good Energies/Norsun/Sunfilm, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.