

Prior notification of a concentration
(Case COMP/M.5551 — F2i/Finavias/ERG)
Candidate case for simplified procedure
(Text with EEA relevance)
(2009/C 149/10)

1. On 23 June 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 undertakings F2i Fondi Italiani per le Infrastrutture S.G.R. S.p.A. ('F2i', Italy) and Finavias S.à.r.l. ('Finavias', Luxembourg), (a company indirectly owned by the AXA Group), acquire, within the meaning of Article 3(1)(b) of the Council Regulation, joint control of the majority shareholding of the undertaking ENEL Rete Gas S.p.A. ('ERG', Italy) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- F2i: mutual investment fund specialized in infrastructure sectors,
- Finavias: private equity and asset management activities,
- ERG: provision of gas distribution via low-and medium-pressure pipelines.

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.5551 — F2i/Finavias/ERG, 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.