

Prior notification of a concentration
(Case COMP/M.5855 — Deutsche Bahn/Arriva)

(Text with EEA relevance)

(2010/C 169/05)

1. On 22 June 2010, 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 Deutsche Bahn AG ('DB', Germany) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking Arriva plc ('Arriva', United Kingdom) by way of public bid.

2. The business activities of the undertakings concerned are:

— for DB: active in several Member states in, inter alia, passenger transport by rail and bus, the operation of railway infrastructure and stations, freight forwarding and logistics (including freight transport) and ancillary services,

— for Arriva: active in several member States in transport services including bus, train, commuter coach, water bus and airport related transport services, as well as bus and coach distribution.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope the EC Merger Regulation. 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 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 22964301), by e-mail to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.5855 — Deutsche Bahn/Arriva, 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 (the 'EC Merger Regulation').