

**Prior notification of a concentration**  
**(Case COMP/M.6269 — SNCF/HFPS/Wehinger GmbH/Rail Holding)**  
**Candidate case for simplified procedure**  
**(Text with EEA relevance)**  
(2011/C 187/14)

1. On 20 June 2011, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup> by which the undertaking(s) SNCF (France), Haselsteiner Familien-Privatstiftung ('HFPS', Austria) and Stefan Wehinger Beteiligungs-und Beratungs GmbH ('Wehinger GmbH', Austria) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking Rail Holding AG (Austria) 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 SNCF: rail passenger and freight transportation services in France and other EEA countries; management of the French railway infrastructure,
- for HFPS: investments in small and medium-sized businesses active in different sectors such as the construction sector,
- for Wehinger GmbH: holding of a shareholding in Rail Holding AG,
- for Rail Holding AG: shareholder of WESTbahn Management GmbH (Austria), planning to operate rail passenger transportation services in Austria.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the EC Merger Regulation. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the EC Merger Regulation <sup>(2)</sup> 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 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6269 — SNCF/HFPS/Wehinger GmbH/Rail Holding, to the following address:

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

---

<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').

<sup>(2)</sup> OJ C 56, 5.3.2005, p. 32 ('Notice on a simplified procedure').