

V

*(Announcements)*PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Prior notification of a concentration
(Case M.10450 — CDP/Macquarie/Open Fiber)**Text with EEA relevance)**

(2021/C 414/04)

1. On 4 October 2021, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- Macquarie Infrastructure and Real Assets ('MIRA', United Kingdom), ultimately controlled by Macquarie Group Limited ('Macquarie', Australia),
- CDP Equity S.p.A. ('CDPE', Italy), part of the Cassa Depositi e Prestiti S.p.A. ('CDP', Italy), ultimately controlled by the Italian State,
- Open Fiber S.p.A. ('Open Fiber', Italy), currently controlled by CDPE and Enel S.p.A. ('Enel', Italy).

MIRA and CDPE acquire joint control over Open Fiber within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation. The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for MIRA: management of infrastructure and other real assets, including real estate, energy and agriculture as well as critical infrastructure assets such as utilities and telecommunications networks, airports and ports;
- for CDPE: long-term investor in companies of significant national Italian interest, through direct and indirect shareholdings;
- for Open Fiber: wholesale-only operator developing, managing and maintaining an optical fibre network, predominantly with FTTH technology, across Italy.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the 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.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.10450 — CDP/Macquarie/Open Fiber

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

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