

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION POLICY

COMMISSION

Prior notification of a concentration

(Case COMP/M.5436 — Citi Infrastructure Partners, L.P./Itínere Infraestructuras S.A.)

Candidate case for simplified procedure

(Text with EEA relevance)

(2009/C 16/08)

1. On 14 January 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 Citi Infrastructure Partners, L.P., belonging to Citigroup (United States of America) would acquire within the meaning of Article 3(1)(b) of the Council Regulation control of part of the undertaking Itínere Infraestructuras S.A. (Spain) by means of a public purchase offer.

2. The business activities of the undertakings concerned are:

- for Citi Infrastructure Partners, L.P.: a venture capital fund focusing on infrastructure,
- for Itínere Infraestructuras S.A.: infrastructure concessions.

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 any 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) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.5436 — Citi Infrastructure Partners, L.P./Itínere Infraestructuras S.A., to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Brussels

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.