

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case COMP/M.6701 — Ferrovia/Enterprise)

Candidate case for simplified procedure

(Text with EEA relevance)

(2013/C 64/09)

1. On 25 February 2013, 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 Ferrovia, SA ('Ferrovia', Spain), through its wholly-owned subsidiary Ferrovia Servicios, SA ('Ferrovia Servicios', Spain), acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking Enterprise plc ('Enterprise', the United Kingdom) ultimately controlled by 3i Group plc ('3i') by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for undertaking Ferrovia: supply of support and infrastructure services in the United Kingdom. Ferrovia is active in this market via its wholly-owned subsidiary Amey UK plc,
- for undertaking Enterprise: provider of infrastructure construction and maintenance services to the public sector and to utility companies in the United Kingdom.

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 ⁽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 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6701 — Ferrovia/Enterprise, 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').

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