

Prior notification of a concentration
(Case M.9545 — NS Groep/Pon Netherlands/JV)
Candidate case for simplified procedure

(Text with EEA relevance)

(2019/C 395/11)

1. On 15 November 2019, 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:

- NS Groep N.V. ('NS', the Netherlands),
- Pon Netherlands B.V. ('Pon', the Netherlands).

NS and Pon acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the newly created joint venture (the 'JV').

The concentration is accomplished 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 NS: part of the NS Group, a public transport operator in the Netherlands. It is the largest Dutch public transport operator with around 1 million travellers on an average day. It operates rail transport services and related services such as public transport bikes. The Dutch Ministry of Finance holds 100 % of the shares in NS,
- for Pon: part of the Pon group, a global company with over 14,000 employees operating in 34 countries. The Pon group operates more than 80 companies in four different business clusters: Automotive, Pon Bike, Equipment & Power Systems and Industrial Mobility,
- for the JV: will bring together NS's and Pon's Mobility as a Service ('MaaS') services, combining the Parties' services to develop and manage multimodal shared mobility concepts for both consumers and businesses.

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.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the 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 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. The following reference should always be specified:

M.9545 — NS Groep/Pon Netherlands/JV

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:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
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⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

⁽²⁾ OJ C 366, 14.12.2013, p. 5.