

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case COMP/M.6409 — Gazprom Schweiz/Promgas)

Candidate case for simplified procedure

(Text with EEA relevance)

(2011/C 335/13)

1. On 7 November 2011, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which Gazprom Schweiz AG ('Gazprom Schweiz', Switzerland) controlled by Gazprom export LLC ('Gazprom export', Russian Federation), itself controlled by Open Joint Stock Company Gazprom ('Gazprom', Russian Federation), acquires from ENI SpA ('ENI', Italy) within the meaning of Article 3(1)(b) of the Merger Regulation a 50 % stake in Promgas SpA ('Promgas', Italy), currently jointly controlled by ENI and Gazprom export, by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- Gazprom: the exploration, production, transportation, refining and marketing of natural gas and petrochemical products,
- Gazprom export: export of natural gas, oil, petroleum derivatives and other products of the petroleum and petrochemical industries to Europe and participation in energy investment projects,
- Gazprom Schweiz: exploration, production and sale of hydrocarbons,
- Promgas: wholesale supply of natural gas through mains in Italy.

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.6409 — Gazprom Schweiz/Promgas, 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').