

Prior notification of a concentration
(Case COMP/M.5370 — CEZ/Akkok/Sedas/Akenerji)

Candidate case for simplified procedure

(Text with EEA relevance)

(2009/C 24/10)

1. On 22 January 2009, the Commission received a notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which CEZ, a.s. ('CEZ', Czech Republic) belonging to the CEZ Group and Akkok Sanayi Yatirim ve Gelistirme A.S. ('Akkok', Turkey) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Akenerji Elektrik Uretim A.S. ('Akenerji', Turkey) by way of purchase of shares. Subsequently, CEZ and Akkok acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Sakarya Elektrik Dagitim A.S. ('Sedas', Turkey) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for CEZ: generation, distribution and sale of electricity, coal mining, among other activities,
- for Akkok: energy, chemicals, textile, real estate, among others,
- for Akenerji: generation of electricity and steam,
- for Sedas: distribution and sale of electricity.

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 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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.5370 — CEZ/Akkok/Sedas/Akenerji, 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.