

***Case No COMP/M.5501 -
GDF SUEZ ENERGY
SERVICES / ELYO
ITALIA***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 19/05/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19/05/2009
SG-Greffe(2009) D/2856
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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties:

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.5501 - SUEZ ENERGY SERVICES/ ELYO ITALIA
Notification of 08/04/2009 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 091,
21/04/2009, p.16**

1. On 08/04/2009, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking GDF Suez Energy Services S.A. ("GDF Suez Energy Services", France), controlled by the GDF Suez Group (France), acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Elyo Italia S.r.l. ("Elyo Italia", Italy) by way of purchase of shares.

The business activities of the undertakings concerned are:

- for GDF Suez Energy Services: energy services;
- for Elyo Italia: energy services and multi-technical management

¹ OJ L 24, 29.1.2004, p. 1.

2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No 139/2004 and of paragraph 5(d) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
3. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EC) No 139/2004.

For the Commission
(signed)
Philip LOWE
Director General

² OJ C 56, 05.3.2005, p. 32.