V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.8636 — Abellio/Mitsui/EJR/West Midlands Passenger Rail Franchise)

Candidate case for simplified procedure

(Text with EEA relevance)

(2017/C 351/07)

1. On 10 October 2017, 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:

— Abellio Transport Group Limited ('Abellio', United Kingdom), belonging to NV Nederlandse Spoorwegen ('NS Group', Netherlands),

— Mitsui & Co., Ltd and Mitsui & Co. Europe Plc (together the 'Mitsui Companies', Japan),

— East Japan Railway Company ('EJR', Japan),

— West Midlands passenger rail franchise (the 'Franchise', United Kingdom).

Abellio, the Mitsui Companies and EJR acquire within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the West Midlands Franchise.

The concentration is accomplished by way of a franchise awarded on 9 August 2017.

2. The business activities of the undertakings concerned are:

— for Abellio: commercial operation of a number of passenger railway concessions or franchise contracts in the United Kingdom and Germany,

— for the Mitsui Companies: trading house engaged in a number of worldwide commodity and other businesses, including the sale, distribution, purchase, marketing and supply of products in business areas such as iron and steel, coal and non-ferrous metals, machinery, electronics, chemicals, energy-related commodities, logistics and investment in infrastructure projects,

— for EJR: railway company running of shopping centres, office buildings and hotels in addition to running and operating rail networks,

— for West Midlands Passenger Rail Franchise: passenger rail services across the West Midlands, as well as trains from London Euston to Crewe and from Liverpool to Birmingham.

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 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.

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.

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.8636 — Abellio/Mitsui/EJR/West Midlands Passenger Rail Franchise

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

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