EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying parties

Subject: **Case M.9464 – OMERS/Altice/Allianz/SFR FTTH**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]

Dear Sir or Madam,

1. On 23 August 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings AGF Benelux S.à.r.l. (Germany), controlled by Allianz SE ("**Allianz**", Germany), OMERS Infrastructure European Holdings B.V. ("**OMERS Infrastructure**", the Netherlands), controlled by OMERS Administration Corporation ("**OMERS**", Canada) and Altice France S.A. (France), controlled by Altice Europe N.V. ("**Altice**", the Netherlands) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation indirect joint control of the undertaking SFR FTTH SAS ("**SFR FTTH**", France), currently controlled by OMERS and Altice by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for Allianz: global financial services group active in insurance and asset management,

   – for OMERS: administration of the Ontario Municipal Employees Retirement System Primary Pension Plan by investing in infrastructure (via OMERS Infrastructure) and private equity assets,

   – for Altice: telecommunications, media, entertainment and advertising,

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1 OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

2 OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

3 Publication in the Official Journal of the European Union No C 292, 30.8.2019, p. 3.

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– for SFR FTTH: fibre network activity in certain areas of France, outside the high density areas as defined by the French electronic communications regulator, the "*Autorité de regulation des communications éléctroniques et des postes*".

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[4]

4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Cecilio MADERO VILLAREJO
Acting Director-General

4 OJ C 366, 14.12.2013, p. 5.