V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.9348 — OMERS Infrastructure/Morgan Stanley/VTG)

Candidate case for simplified procedure

(Text with EEA relevance)

(2019/C 142/06)

1. On 11 April 2019, 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:

— OMERS Infrastructure European Holdings B.V. ('OMERS Infrastructure', The Netherlands),

— Morgan Stanley ('Morgan Stanley', United States).

OMERS Infrastructure and Morgan Stanley acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of VTG Aktiengesellschaft ('VTG', Germany).

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for OMERS Infrastructure: the European investment platform for infrastructure investments for OMERS Administration Corporation, Canada, which manages a diversified global portfolio of stocks and bonds as well as real estate, infrastructure and private equity investments for a Canadian pension plan,

— for Morgan Stanley: a leading US global financial services firm providing a wide range of investment banking, securities, wealth management and investment management services,

— for VTG: a wagon hire and rail logistics provider headquartered in Hamburg, Germany, with an extensive fleet of vehicles, consisting mainly of tank wagons, intermodal wagons, standard freight wagons, and sliding wall wagons. In addition to leasing rail freight wagons, VTG provides multi-modal logistics services, focusing on rail transport and global tank container transport.

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 the 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. The following reference should always be specified:

M.9348 — OMERS Infrastructure/Morgan Stanley/VTG

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

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

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