Prior notification of a concentration

(Case M.10328 — CDPQ/ATI/ATI European Communications Infrastructure Business)

Candidate case for simplified procedure

(Text with EEA relevance)

(2021/C 221/06)

1. On 2 June 2021, 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:

— Caisse de dépôt et placement du Québec ('CDPQ', Canada)

— American Tower International Inc. ('ATI', United States of America)

— ATI's European Communications Infrastructure Business. ('Target').

CDPQ and ATI acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control of the Target which has assets in Germany, Poland, France and Spain .

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for CDPQ: long-term institutional investor that manages funds primarily for public and para-public pension and insurance plans in the Province of Québec. CDPQ is the second largest pension fund manager in Canada,

— for ATI: wholly owned subsidiary of American Towers LLC, which is itself a wholly owned subsidiary of the American Tower Corporation (ATC). ATC is an independent owner and operator of passive wireless communications infrastructure, which has a portfolio of approximately 183 000 telecommunication infrastructure sites in the Americas, Europe, Africa and Asia,

— for the Target: offering of mobile network operator-neutral telecom hosting services on passive wireless communications infrastructure sites in France, Germany, Poland and, as a result of the parallel acquisition of another company (Telxius) by ATI, in Spain.

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.10328 — CDPQ/ATI/ATI European Communications Infrastructure Business

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

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

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

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