Prior notification of a concentration

(Case M.9996 — Trenitalia/Netinera Deutschland)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 380/09)

1. On 3 November 2020, 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:

— Trenitalia S.p.A. ('Trenitalia', Italy), belonging to the Ferrovie dello Stato Italiane Group (Italy),

— Netinera Deutschland GmbH ('Netinera', Germany), currently jointly controlled by Trenitalia and Cube Transport Sarl (Luxembourg).

Trenitalia acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Netinera.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for Trenitalia: active in the field of rail passenger transport and related services in Italy and other European countries, mainly France, UK and Greece. It is wholly owned by Ferrovie dello Stato Italiane S.p.A. which is itself 100% owned by the Italian Ministry of Economy and Finance,

— for Netinera: operates regional rail and bus passenger services mainly in Germany (and, to a lesser extent, in the Czech Republic) on the basis of public service contracts awarded mainly by the German Public Transport Authorities. It is currently jointly controlled by Trenitalia and Cube Transport Sarl, an investment fund incorporated in Luxembourg specialised in infrastructure and public services.

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.9996 — Trenitalia/Netinera Deutschland

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

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

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