Prior notification of a concentration

(Case M.9244 — OMERS/Altice/SFR FTTH)

Candidate case for simplified procedure

(Text with EEA relevance)

(2019/C 20/11)

1. On 10 January 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), controlled by OMERS Administration Corporation ('OMERS'),

— Altice France S.A. ('Altice', France), controlled by Altice Europe N.V.,

— SFR FTTH (France), currently controlled by Altice.

OMERS and Altice acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the whole of SFR FTTH.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for OMERS Infrastructure: infrastructure arm of OMERS, the administrator of the Ontario Municipal Employees Retirement System Primary Pension Plan in Canada, which invests globally in infrastructure and private equity assets,

— for Altice: the provision of telecoms, content, media, entertainment and advertising services,

— for SFR FTTH: the fibre network activity of the electronic communications operator exclusively controlled by Altice, SFR S.A., in certain areas of France, outside the high density areas as defined by the French electronic communications regulator, the *Autorité de régulation des communications électroniques et des postes*.

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.9244 — OMERS/Altice/SFR FTTH

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