C/2024/5659

18.9.2024

Prior notification of a concentration

(Case M.11740 – EDF / VAUBAN INFRASTRUCTURE PARTNERS / ONTOWER AUSTRIA)

Candidate case for simplified procedure

(Text with EEA relevance)

(C/2024/5659)

1. On 11 September 2024, 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:

— Electricité de France S.A. ('EDF', France) controlled by the French State,

— Vauban Infrastructure Partners S.C.A. ('Vauban', France), belonging to the group BPCE S.A. ('BPCE', France),

— OnTower Austria GmbH ('OnTower Austria', Austria), currently ultimately controlled by Cellnex Telecom S.A. ('Cellnex', Spain).

EDF and Vauban will acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of OnTower Austria.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

— EDF is active worldwide in all fields of production, supply and transport of electricity. EDF is also active in the provision of other electricity-related services as well as in the gas sector.

— Vauban is a European asset management company with a focus on infrastructure equity investments. Vauban belongs to the French banking group BPCE S.A.

— OnTower Austria operates a wireless passive network infrastructure in Austria, consisting of ground-based towers, rooftop towers and other sites, used by mobile operators.

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 treatment for certain concentrations under Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings ([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.11740 – EDF / VAUBAN INFRASTRUCTURE PARTNERS / ONTOWER AUSTRIA

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 160, 5.5.2023, p. 1.

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

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