EUROPEAN COMMISSION

Brussels, 19.6.2024
C(2024) 4362 final

PUBLIC VERSION

Morgan Stanley Infrastructure Inc.
c/o The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington DE 19801
United States of America

Subject: **Case M.11573 – MORGAN STANLEY / TELE COLUMBUS**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004 ([1]) and Article 57 of the Agreement on the European Economic Area ([2])

Dear Sir or Madam,

(1) On 14 May 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which the undertaking Morgan Stanley Infrastructure Inc. ("MSI", USA), controlled by Morgan Stanley (USA), will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole of the undertaking Tele Columbus AG ("Tele Columbus", Germany), currently jointly controlled by MSI and United Internet AG (Germany) by way of purchase of shares. ([3])

(2) The business activities of the undertakings concerned are the following:

– MSI provides financial services, including asset management advice and in particular advice of funds that invest in infrastructure assets predominantly in OECD countries,

– Tele Columbus is a telecommunications services provider, in particular as an independent operator of broadband cable networks in Germany.

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.
([2]) OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').
([3]) OJ C, C/2024/3407, 29.5.2024.

(3) After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(e) of the Commission Notice on a simplified treatment for certain concentrations under Council Regulation (EC) No 139/2004. ([4])

(4) For the reasons set out in the Notice on a simplified treatment, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Olivier GUERSENT
Director-General

([4]) OJ C 160, 5.5.2023, p. 1 (the 'Notice on a simplified treatment').