V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.10561 – CINTRA / ABERTIS / ITINERE / BIP & DRIVE)

(Text with EEA relevance)

(2023/C 17/08)

1. On 10 January 2023, 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:

— Cintra Infraestructuras España, S.L. ('Cintra', Spain), belonging to the Ferrovial Group (Spain),

— Abertis Autopistas España, S.A. ('Abertis', Spain), controlled by Atlantia S.p.A ('Atlantia', Italy) and Actividad de Construcción y Servicios, S.A. ('ACS', Spain),

— Itínere Infraestructuras ('Itínere', Spain), controlled by Group APG ('APG', the Netherlands),

— Bip & Drive E.D.E. S.A. ('Bip & Drive', Spain).

Cintra, Abertis and Itínere will acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Bip & Drive.

The concentration is accomplished by way of purchase of shares.

The same concentration was already notified to the Commission on 7 October 2022, but the notification was subsequently withdrawn on 26 October 2022.

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

— Cintra is active in the construction, improvement, maintenance and management of roads and motorways and handles toll road concessions in Spain. It belongs to the Ferrovial Group, a diversified group which operates internationally in construction, infrastructure concessions, telecommunications and services. The Cintra group of companies, headed by Cintra, is Ferrovial's transport infrastructure developer subsidiary,

— Abertis belongs to the Abertis Group which manages mobility and telecommunications infrastructure all over the world. In the EU, it is mostly active in Spain and France and, to a lesser extent, in Italy. Abertis is jointly controlled by Atlantia and ACS. In Europe, Atlantia manages motorways (Spain and Portugal) and airports (Italy and France) under concession and offers mobility services. ACS carries out construction, concessions and services activities and is active in Europe, America and Asia,

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

— Itínere manages motorway concessions in Spain. It is controlled by APG, a Dutch pension investment company which invests in, among others, energy and utility, telecommunications and transportation infrastructure assets,

— Bip & Drive is a distributor of electronic toll payment devices for Spanish motorways, especially on board equipment.

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.

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.10561 – CINTRA / ABERTIS / ITINERE / BIP & DRIVE

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

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