EUROPEAN COMMISSION

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PUBLIC VERSION

Meridiam SAS
4, Place de l'Opéra
75002 Paris
France

Subject: **Case M.11108 – MERIDIAM / AWSA I / AWSA II / A2 ROUTE / AESA**
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 26 June 2023, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Meridiam SAS ('Meridiam', France) intends to acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the undertakings Autostrada Wielkopolska S.A. ('AWSA I', Poland) and Autostrada Wielkopolska II S.A. ('AWSA II', Poland). In parallel, it will acquire, together with Egis Road Operation SA (France) joint control over Autostrada Eksploatacja S.A. ('AESA', Poland); and together with Strabag AG (Austria) joint control over A2 Route Sp. z o.o. ('A2 Route', Poland). The concentration is accomplished by way of purchase of shares.[3]

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

   – Meridiam is an alternative investment fund manager specialising in long-term investments in public and community infrastructure in Europe, the Americas and Africa,

   – AWSA I is a special-purpose company holding concession for the construction and operation of 149-kilometres - section Nowy Tomyśl-Konin - of the A2 toll motorway in Poland ('A2 Motorway'),

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 Publication in the Official Journal of the European Union No C 234, 3.7.2023, p. 8.

– AWSA II is a special-purpose company holding concession for the construction and operation of 106 kilometres - section Nowy Tomyśl-Świecko - of the A2 Motorway in Poland,

– A2 Route is an operating company dedicated to construction and heavy maintenance works on the AWSA I and AWSA II sections of the A2 Motorway,

– AESA is an operating company responsible for day-to-day operation of the AWSA I and AWSA II sections of the A2 Motorway (i.e. 255 kilometres section Konin-Świecko).

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 (b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[4]

4. For the reasons set out in the Notice on a simplified procedure, 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 366, 14.12.2013, p. 5.