V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.8627 — GETEC/Briva/JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2017/C 340/08)

1. On 3 October 2017 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:

— GETEC Wärme und Effizienz AG ('GETEC', Germany), controlled by EQT Fund Management SARL (Luxembourg) and GETEC Energy Holding GmbH (Germany),

— Briva Group B.V. ('Briva', the Netherlands), controlled by the Ten Brinke Group B.V. (the Netherlands),

— Joint Venture ('JV', Germany).

GETEC and Briva acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over JV.

The concentration is accomplished by way of a purchase of shares and by way of contract of management or any other means in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

— for GETEC: provision of energy contracting services in Germany,

— for Briva: project development, construction, sale or lease of residential, commercial and industrial real estate to mainly strategic investors in Germany and the Netherlands.

The JV will be active in the conception, development, operation and maintenance of energy generation and distribution systems and the provision of energy contracting services for buildings customised to individual needs of the customers, related measures to increase energy efficiency and development of new business models.

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.

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

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.8627 — GETEC/Briva/JV

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
1049 Bruxelles/Brussel
BELGIQUE/BELGIË