Prior notification of a concentration

(Case M.9614 – ÖBB-Technische Services-Gesellschaft mbH/LTE Logistik- und Transport-GmbH)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 102/08)

1. On 17 March 2020, 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:

— ÖBB-Technische Services-Gesellschaft mbH ('OBB-TS', Austria),

— LTE Logistik- und Transport-GmbH ('LTE', Austria),

— Instandhaltungs GmbH ('JV', Austria).

OBB-TS and LTE acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the newly created JV.

The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

— OBB-TS is a provider of maintenance services for rolling stock.

— LTE is a logistic company that provides cargo train services.

— The JV will provide light maintenance services for rolling stock at one facility near Vienna, Austria.

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.

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

M.9614 — OBB-TS/LTE

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

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Fax +32 22964301

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