

Official Journal

of the European Union

C 228

Volume 49

English edition

Information and Notices

22 September 2006

<u>Notice No</u>	<u>Contents</u>	<u>Page</u>
	I <i>Information</i>	
	Commission	
2006/C 228/01	Euro exchange rates	1
2006/C 228/02	Notice of the impending expiry of certain anti-dumping and countervailing measures	2
2006/C 228/03	Notice of the impending expiry of certain anti-dumping measures	3
2006/C 228/04	Notification pursuant to Article 95, paragraph 4 of the EC Treaty — Authorisation to maintain national measures being more stringent than provisions of an EC harmonisation measure ⁽¹⁾	4
2006/C 228/05	Information communicated by Member States regarding State aid granted under Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises ⁽¹⁾	6
2006/C 228/06	Prior notification of a concentration (Case COMP/M.4368 — Edison/Eneco Energia) ⁽¹⁾	13
2006/C 228/07	Prior notification of a concentration (Case COMP/M.4350 — Hewlett Packard/Mercury Interactive) ⁽¹⁾	14
2006/C 228/08	Non-opposition to a notified concentration (Case COMP/M.4114 — Lottomatica/GTECH) ⁽¹⁾	15
2006/C 228/09	Prior notification of a concentration (Case COMP/M.4264 — Cerberus/GMAC) — Candidate case for simplified procedure ⁽¹⁾	16



I

(Information)

COMMISSION

Euro exchange rates ⁽¹⁾

21 September 2006

(2006/C 228/01)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,2731	SIT	Slovenian tolar	239,61
JPY	Japanese yen	148,84	SKK	Slovak koruna	37,505
DKK	Danish krone	7,4594	TRY	Turkish lira	1,875
GBP	Pound sterling	0,6706	AUD	Australian dollar	1,6856
SEK	Swedish krona	9,2193	CAD	Canadian dollar	1,4302
CHF	Swiss franc	1,5887	HKD	Hong Kong dollar	9,9092
ISK	Iceland króna	89,43	NZD	New Zealand dollar	1,9258
NOK	Norwegian krone	8,281	SGD	Singapore dollar	2,0126
BGN	Bulgarian lev	1,9558	KRW	South Korean won	1 202,12
CYP	Cyprus pound	0,5766	ZAR	South African rand	9,4547
CZK	Czech koruna	28,419	CNY	Chinese yuan renminbi	10,0872
EEK	Estonian kroon	15,6466	HRK	Croatian kuna	7,43
HUF	Hungarian forint	274,48	IDR	Indonesian rupiah	11 636,13
LTL	Lithuanian litas	3,4528	MYR	Malaysian ringgit	4,6729
LVL	Latvian lats	0,696	PHP	Philippine peso	63,789
MTL	Maltese lira	0,4293	RUB	Russian rouble	34,043
PLN	Polish zloty	3,9466	THB	Thai baht	47,638
RON	Romanian leu	3,5305			

⁽¹⁾ Source: reference exchange rate published by the ECB.

Notice of the impending expiry of certain anti-dumping and countervailing measures

(2006/C 228/02)

1. As provided for in Article 11(2) of Council Regulation (EC) No 384/96 of 22 December 1995 ⁽¹⁾ on protection against dumped imports from countries not members of the European Community and in Article 18(4) of Council Regulation (EC) No 2026/97 of 6 October 1997 ⁽²⁾ on protection against subsidised imports from countries not members of the European Community, the Commission gives notice that, unless a review is initiated in accordance with the following procedure, the anti-dumping and countervailing measures mentioned below will expire on the date mentioned in the table below.

2. Procedure

Community producers may lodge a written request for a review. This request must contain sufficient evidence that the expiry of the measures would be likely to result in a continuation or recurrence of dumping/subsidisation and injury.

Should the Commission decide to review the measures concerned, importers, exporters, representatives of the exporting country and Community producers will then be provided with the opportunity to amplify, rebut or comment on the matters set out in the review request.

3. Time limit

Community producers may submit a written request for a review on the above basis, to reach the European Commission, Directorate-General for Trade (Division B-1), J-79 5/16, B-1049 Brussels ⁽³⁾ at any time from the date of the publication of the present notice but no later than three months before the date mentioned in the table below.

4. This notice is published in accordance with Article 11(2) of Council Regulation (EC) No 384/96 of 22 December 1995 and with Article 18(4) of Council Regulation (EC) No 2026/97 of 6 October 1997.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry
Ring binder mechanisms	Indonesia	Anti-dumping duty	Council Regulation (EC) No 976/2002 (OJ L 150, 8.6.2002, p. 1)	8.6.2007
Ring binder mechanisms	Indonesia	Countervailing duty	Council Regulation (EC) No 977/2002 (OJ L 150, 8.6.2002, p. 17)	8.6.2007

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Council Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

⁽²⁾ OJ L 288, 21.10.97, p. 1. Regulation as last amended by Council Regulation (EC) No 461/2004 (OJ L 77, 13.3.2004, p. 12).

⁽³⁾ Telefax: (32-2) 295 65 05.

Notice of the impending expiry of certain anti-dumping measures

(2006/C 228/03)

1. As provided for in Article 11(2) of Council Regulation (EC) No 384/96 of 22 December 1995 ⁽¹⁾ on protection against dumped imports from countries not members of the European Community, the Commission gives notice that, unless a review is initiated in accordance with the following procedure, the anti-dumping measures mentioned below will expire on the date mentioned in the table below.

2. Procedure

Community producers may lodge a written request for a review. This request must contain sufficient evidence that the expiry of the measures would be likely to result in a continuation or recurrence of dumping and injury.

Should the Commission decide to review the measures concerned, importers, exporters, representatives of the exporting country and Community producers will then be provided with the opportunity to amplify, rebut or comment on the matters set out in the review request.

3. Time limit

Community producers may submit a written request for a review on the above basis, to reach the European Commission, Directorate-General for Trade (Division B-1), J-79 5/16, B-1049 Brussels ⁽²⁾ at any time from the date of the publication of the present notice but no later than three months before the date mentioned in the table below.

4. This notice is published in accordance with Article 11(2) of Council Regulation (EC) No 384/96 of 22 December 1995.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry
Powdered activated carbon	People's Republic of China	Anti-dumping duty	Council Regulation (EC) No 1011/2002 (OJ L 155, 14.6.2002, p. 1) as last amended by Council Regulation (EC) No 931/2003 (OJ L 133, 29.5.2003, p. 36)	15.6.2007
Compact disk recordables (CD-Rs)	Taiwan	Anti-dumping duty	Council Regulation (EC) No 1050/2002 (OJ L 160, 18.6.2002, p. 2)	18.6.2007

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Council Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

⁽²⁾ Telefax: (32-2) 295 65 05.

Notification pursuant to Article 95, paragraph 4 of the EC Treaty — Authorisation to maintain national measures being more stringent than provisions of an EC harmonisation measure

(2006/C 228/04)

(Text with EEA relevance)

1. On 2nd June 2006, the Kingdom of Denmark informed the Commission, pursuant to Article 9(3)(a) of Regulation (EC) No 842/2006 ⁽¹⁾ on certain greenhouse gases (hereafter 'the Regulation'), about national measures adopted in 2002 (Order No 552 of 2nd July 2002).
2. Order No 552 (hereafter 'the Order') concerns three greenhouse gases classified under the Kyoto Protocol to the United Nations Convention on Climate Change, most of which have high global warming potentials: hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulphur hexafluoride (SF6).
3. The Order consists of a general ban on the import, sale and use of new products containing the above mentioned greenhouse gases after 1st January 2006 as well as a ban on the import, sale and use of these greenhouse gases, new and recovered, after 1st January 2006.
4. The general ban on new products containing the covered fluorinated greenhouse gases is accompanied by derogations specified in Annex I of the Order. These specific derogations relate to a number of highly specific applications (e.g medical aerosols, laboratory equipment) and, for a number of more common applications, are based on the quantity of greenhouse gases used in the respective systems, thereby exempting for instance refrigeration units, heat pumps or air conditioning units with charges between 0,15 kg and 10 kg as well as refrigeration systems for recovering heat with a charge less or equal to 50 kg. Products for ships and military use as well as the use of SF6 in high voltage units are exempted.
5. The Order finally allows for exemptions to be possibly granted by the Danish Environmental Protection Agency in very special cases. The notification contains a description of when such an exemption process can be contemplated in practice by the Danish Environmental Protection Agency, pointing for instance at the unforeseen disproportionate effects of a ban or at situations where it turns out that alternatives are not available or not suitable.
6. This legislation was in place before the Commission put forward its proposal for a Regulation on certain fluorinated greenhouse gases ⁽²⁾ which was eventually adopted through co-decision this year and published in June. The objective of Regulation (EC) 842/2006 is to reduce the emissions of the fluorinated gases covered by the Kyoto Protocol primarily through containment (Article 3) throughout the life of products and equipment containing such gases (prevention and repair of leakages) and their recovery (Article 4) at the end of their life. It also contains a limited number of use bans and placing on the market prohibitions (respectively Article 8 and Article 9, paragraphs 1 and 2) when alternatives were considered available and cost-effective at Community level and where improvement of containment and recovery was regarded as not feasible.
7. The Regulation has a double legal base, Article 175(1) of the EC Treaty with respect to all provisions but Articles 7, 8 and 9, which are based on Article 95 of the EC Treaty due to their implications in terms of free circulation of goods within the EC single market.

Article 9 of the Regulation governs the placing on the market and, more precisely, prohibits the marketing of a number of products and equipment containing, or whose functioning relies upon, fluorinated greenhouse gases covered by the Regulation. It further stipulates, in its paragraph 3(a), that Member States that have, by 31 December 2005, adopted national measures which are stricter than those laid down in the Article and which fall under the scope of the Regulation may maintain those national measures until 31 December 2012. However, in accordance with its paragraph 3(b), these measures, together with their justification, shall be notified to the Commission and they shall be compatible with the Treaty.

⁽¹⁾ OJ L 161, 14.6.2006, p. 1.

⁽²⁾ COM (2003) of 11 August 2003.

8. By going further in terms of placing on the market, the Order is therefore more stringent than the legislation now in force at Community level.

9. The Kingdom of Denmark argues that such legislation is necessary in order for Denmark to meet its obligations under the Kyoto Protocol, namely the reduction of 21 % of its total level of greenhouse gas emissions by 2012, which arguably requires a concerted effort in tackling every source of greenhouse gas emissions. It further argues that it is fully supported by the availability of alternatives which are considered as economically and technically feasible in Denmark and, as a result, increasingly used (e.g hydrocarbons in domestic refrigerators and freezers, ammonia in industrial refrigeration units or absorption systems for small scale air conditioning units).

10. The present notification will proceed taking due account of Regulation (EC) 842/2006 and in accordance with Article 95(4) of the EC Treaty. [Article 95(4) of the EC Treaty stipulates that if, after the adoption of a Community harmonised measure, a Member State wishes to maintain its more stringent national legislation as justified by essential requirements as covered by Article 30 or relating to the protection of the environment or the working environment, it shall notify them to the Commission indicating the reason for their maintenance.] The Commission has then six months to approve or reject them, during which it shall check that they do not constitute a means of arbitrary discrimination or a disguised restriction to trade and that they do not create unnecessary and disproportionate barriers to the functioning of the internal market.

11. Any comment on the present notification shall be sent to the Commission within 30 days from the publication of this notice. Any comment submitted after these 30 days will not be taken into account.

12. Further details about the Danish notification can be obtained from:

European Commission
General Directorate Environment
DG ENV. C.4 — Industrial Emissions and protection of the ozone layer
Mr. Peter. Horrocks
Tel: (32-2) 295 73 84
Electronic address: peter.horrocks@ec.europa.eu

Information communicated by Member States regarding State aid granted under Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises

(2006/C 228/05)

(Text with EEA relevance)

Aid No	XS 99/04	
Member State	France	
Region	Objective 2, Ile-de-France	
Title of aid scheme or name of company receiving individual aid	Direct use of the SME Regulation within the framework of the European Objective 2 Programme Ile-de-France no specific aid scheme —	
Legal basis	<i>État</i> : Article 20 de la Constitution du 4 octobre 1958 — Article L 2251-1 du code général des collectivités territoriales (CGCT) <i>Feder, Fse</i> : Décision de la Commission européenne du 22 mars 2001 adoptant le DOCUP objectif 2 pour la région <i>Collectivités locales</i> : Article L 1511-1 à L-1511-5 du code général des collectivités territoriales (CGCT) et leurs textes d'application	
Annual expenditure planned under the scheme or overall amount of individual aid granted to the company	For an aid scheme: — For an individual aid award: EUR 4 million for all individual aid awards to companies (22 projects) EUR 0,75 million in 2002 EUR 3,2 million in 2003 EUR 0,05 million in 2004 For guarantees: —	
Maximum aid intensity	15 %	
Date of implementation	7.12.2001	
Duration of scheme or individual aid award	The lifetime of the Regulation (valid until 31.12.2006)	
Objective of aid	To support investments (tangible and intangible) in small and very small businesses in the Ile-de-France region.	
Economic sectors concerned	Limited to specific sectors	Yes
	Other manufacturing	Yes
	Other services	Yes
Name and address of the granting authority	Name: Monsieur le Préfet de la Région d'Ile-de-France, Préfet de Paris	
	Address Préfecture de région d'Ile-de-France 29 rue Barbet-de-Jouy F-75700 Paris	
Aid No	XS 6/06	
Member State	Poland	
Region	Gmina Miasto Lowicz	
Title of aid scheme or name of company receiving individual aid	Horizontal aid scheme for smes investing in Łowicz	

Legal basis	Uchwała nr XL/230/2005 Rady Miejskiej w Łowiczu z dnia 24 marca 2005 r. w sprawie zwolnień z podatku od nieruchomości dla przedsiębiorców na terenie Gminy Miasto Łowicz. Art. 7 ust. 3 ustawy z dnia 12 stycznia 1991 r. o podatkach i opłatach lokalnych (Dz.U. z 2002 r. nr 9, poz. 84, z poz. 84 z późn. zm.)		
Annual expenditure planned or overall amount of individual aid granted to the company	Aid scheme	Annual overall amount	EUR 0,125 million PLN 0,5 million
		Loans guaranteed	
	Individual aid	Overall aid amount	
		Loans guaranteed	
Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation	Yes	
Date of implementation	From 1.5.2005		
Duration of scheme or individual aid award	Until 31.12.2006		
Objective of aid	Aid to SMEs	Yes	
Economic sectors concerned	All sectors eligible for aid to SMEs	Yes	
Name and address of the granting authority	Name: Rada Miejska w Łowiczu — organ stanowiący Burmistrz Łowicza — organ podatkowy.		
	Address: PL-99-400 Łowicz ul. Stary Rynek 1		
Large individual aid grants	In conformity with Article 6 of the Regulation	Yes	
Aid No	XS3 6/06		
Member State	Republic of Poland		
Region	North-Western Region		
Title of aid scheme or name of company receiving individual aid	Warta Tourist Sp. Z o.o.		
Legal basis	Ustawa z dnia 30 sierpnia 1996 r. o komercjalizacji i prywatyzacji (Dz.U. nr 171/2002, poz. 1397, z późn. zm.) art. 52 ust. 3 i 4 w związku z art. 54 ust. 1; Rozporządzenie Rady Ministrów z dnia 16 października 1997 r. w sprawie szczegółowych zasad ustalania należności za korzystanie z przedsiębiorstwa, sposobu zabezpieczenia nie spłaconej części należności oraz warunków oprocentowania nie spłaconej należności (Dz.U. 130/1997 poz. 855) § 8 ust. 1		
Annual expenditure planned or overall amount of individual aid granted to the company	Aid scheme	Annual overall amount	
		Loans guaranteed	
	Individual aid	Overall aid amount	EUR 0,139770 million (*)
		Loans guaranteed	
Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation	Yes	
Date of implementation	22.11.2005		

Duration of scheme or individual aid award	Until 31.10.2011		
Objective of aid	Aid to SMEs	Yes	
Economic sectors concerned	Limited to specific sectors	Yes	
	Other services	Yes	
Name and address of the granting authority	Name: Minister Skarbu Państwa		
	Address: Ul. Krucza 36/Wspólna 6 PL-00-522 Warsaw		
Large individual aid grants	In conformity with Article 6 of the Regulation	Yes	

(*) amount of aid awarded to the firm expressed as gross grant equivalent

Aid No	XS 37/06		
Member State	Poland		
Region	02-Województwo Dolnośląskie 08-Powiat Kłodzki 041-Miasto Nowa Ruda		
Title of aid scheme or name of company receiving individual aid	Aid scheme for businesses in Nowa Ruda as part of block exemptions — investments		
Legal basis	Uchwała nr 304/XXXVII/05 Rady Miejskiej w Nowej Rudzie z dnia 27 października 2005 r. Art. 7 ust. 3 ustawy z dnia 12 stycznia 1991 r. o podatkach i opłatach lokalnych (Dz.U. z 2002 r., nr 9, poz. 84 z późn. zm.).		
Annual expenditure planned or overall amount of individual aid granted to the company	Aid scheme	Annual overall amount	EUR 0,0563 million
		Loans guaranteed	
	Individual aid	Overall aid amount	
		Loans guaranteed	
Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation	Yes	
Date of implementation	28.12.2005		
Duration of scheme or individual aid award	Until 30.6.2007		
Objective of aid	Aid to SMEs	Yes	
Economic sectors concerned	All sectors eligible for aid to SMEs	Yes	
Name and address of the granting authority	Name: Burmistrz Miasta Nowa Ruda		
	Address: 57-400 Nowa Ruda PL-Rynek 1		
Large individual aid grants	In conformity with Article 6 of the Regulation	Yes	

Aid No	XS 60/06		
Member State	Italy		
Region	Campania		
Title of aid scheme or name of company receiving individual aid	Aid scheme for small enterprises active in the crafts, trade, services and tourism sectors in the Vesuvius National Park		
Legal basis	<p>POR Campania 2000-2006 Complemento di Programmazione, misura 1.10 Disciplinare degli aiuti alle piccole imprese concessi in applicazione della Misura 1.10 del POR Campania 2000-2006 (Aiuti esentati dalla notificazione in conformità del Regolamento (CE) n. 70/01) approvato con Delibera di Giunta Regionale n. 1903 del 22.10.2004.</p> <p>Ente Parco Vesuvio: PIT 'Vesevo' POR Campania 2000-2006 Bando Pubblico per l'erogazione degli incentivi — Misura 1.10 Progetto P02 'Potenziamento del sistema produttivo nel campo dell'artigianato tipico tradizionale, dei prodotti tipici, e delle attività di piccolo commercio collegate' Versione aggiornata al 20.4.2005</p> <p>Ente Parco Vesuvio: PIT 'Vesevo' POR Campania 2000-2006 Bando Pubblico per l'erogazione degli incentivi — Misura 1.10 Progetto P03 'Potenziamento della ricettività, ospitalità turistica e servizi annessi — piccole strutture ricettive' Versione aggiornata al 20.4.2005.</p>		
Annual expenditure planned or overall amount of individual aid granted to the company	Aid scheme	Annual overall amount	EUR 9 583 000
		Loans guaranteed	No
Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation	Yes	
Date of implementation	15.4.2006		
Duration of scheme or individual aid award	Until 31.12.2006		
Objective of aid	Aid to SMEs	Yes	
Economic sectors concerned	All sectors eligible for aid to SMEs	Yes	
Name and address of the granting authority	Name: Ente Parco Nazionale del Vesuvio		
	Address: Piazza Municipio, 8 I-80040 S. Sebastiano al Vesuvio (NA) Tel.: 081 771 09 11 Fax 081 771 82 15 Email: protocollo@parconazionaledel vesuvio.it		
Large individual aid grants	In conformity with Article 6 of the Regulation	Yes	

Aid No	XS 61/06		
Member State	United Kingdom		
Region	Northern Ireland		
Title of aid scheme or name of company receiving individual aid	Environmental Solutions (NI) Ltd		
Legal basis	Article 7 of the Environment (Northern Ireland) Order 2002		
Annual expenditure planned under the scheme or overall amount of individual aid granted to the company	Aid scheme	Annual overall amount	
		Loans guaranteed	
	Individual aid	Overall aid amount	GBP 44 160
		Loans guaranteed	

Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation	Yes	
Date of implementation	From .../.../20... — the expected date is June 2006		
Duration of scheme or individual aid award	Until .../.../20... — the expected date is March 2008		
Objective of aid	Aid to SMEs	Yes	
Economic sectors concerned	All sectors eligible for aid to SMEs	Yes	
Name and address of the granting authority	<p>Name: Environment and Heritage Service Waste Management and Contaminated Land Unit</p> <p>Address: Commonwealth House 35 Castle Street Belfast BT1 1GU United Kingdom</p>		
Large individual aid grants	In conformity with Article 6 of the Regulation	Yes	

Aid No	XS 80/06		
Member State	Germany		
Region	North Rhine-Westphalia		
Title of aid scheme or name of company receiving individual aid	<p>Directive on the Award of Grants under the NRW Technology and Innovation Programme (TIP)</p> <p>Brief description of the elements of the NRW Technology and Innovation Programme (TIP) that fall within the scope of Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 86 of the EC Treaty on State aid to small and medium-sized enterprises — as amended by Commission Regulation (EC) No 364/2004 of 25 February 2004.</p> <p>For the other arrangements under the NRW Technology and Innovation Programme (TIP) the Commission has been notified of the six-year extension of the existing approved aid arrangements via the simplified procedure under Article 4(2) of Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing the procedural Regulation (EC) No 659/1999.</p>		
Legal basis	<ol style="list-style-type: none"> 1. Verordnung (EG) Nr. 70/2001 der Kommission vom 12. Januar 2001 2. Änderungsverordnung (EG) Nr. 364/2004 der Kommission vom 25. Februar 2004 3. § 44 Landeshaushaltsordnung NRW 4. Empfehlung 2003/361/EG der Kommission vom 6. März 2003 betreffend die Definition der kleinen und mittleren Unternehmen 		
Annual expenditure planned or overall amount of individual aid granted to the company	Aid scheme	Annual overall amount	EUR 120 million
		Loans guaranteed	
	Individual aid	Overall aid amount	
		Loans guaranteed	
Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation	Yes	

Date of implementation	1.10.2006		
Duration of the scheme or individual aid award	Until 31.12.2006		
Objective of aid	Aid to SMEs	Yes	
Economic sectors concerned	All sectors eligible for aid to SMEs	Yes	
Name and address of the granting authority	Name Ministerium für Innovation, Wissenschaft, Forschung und Technologie des Landes Nordrhein-Westfalen Address: Völklinger Strasse 49 D-40221 Düsseldorf		
Name and address of the granting authority	Name: Ministerium für Wirtschaft, Mittelstand und Energie des Landes Nordrhein-Westfalen Address: Haroldstraße 4 D-40213 Düsseldorf		
Name and address of the granting authority	Name: Staatskanzlei des Landes Nordrhein-Westfalen Address: Stadttor 1 D-40219 Düsseldorf		
Name and address of the granting authority	Name: NRW.Bank Address: Friedrichstrasse 1 D-48145 Münster		
Large individual aid grants	In conformity with Article 6 of the Regulation	Yes	
Aid No	XS 81/06		
Member State	Germany		
Region	Brandenburg		
Title of aid scheme or name of company receiving individual aid	Ministry of Economic Affairs guidelines on research and development projects in small and medium-sized enterprises in Brandenburg		
Legal basis	Zuwendungen für Forschungs- und Entwicklungsvorhaben auf der Grundlage des Operationellen Programms (OP) für den Zeitraum 2000-2006 unter Beachtung der jeweils geltenden einschlägigen Bestimmungen aus den EU-Verordnungen, insbesondere der Verordnung (EG) Nr. 1260/1999, der §§ 23 und 44 der Landeshaushaltsordnung (LHO) und der dazu ergangenen Verwaltungsvorschriften (VV) sowie des jeweils gültigen Rahmenplanes der Gemeinschaftsaufgabe „Verbesserung der regionalen Wirtschaftsstruktur“ (GA)		
Annual expenditure planned or overall amount of individual aid granted to the company	Aid scheme	Annual overall amount	EUR 15 million
		Loans guaranteed	
	Individual aid	Overall aid amount	
		Loans guaranteed	
Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation	Yes	

Date of implementation	1.1.2006		
Duration of the scheme or individual aid award	1.1.2006 until 31.12.2006		
Objective of aid	Aid to SMEs	Yes	
Economic sectors concerned	All sectors eligible for aid to SMEs	Yes	
Name and address of the granting authority	Name: Ministerium für Wirtschaft		
	Address: Heinrich-Mann-Allee 107 14473 Potsdam		
Large individual aid grants	In conformity with Article 6 of the Regulation	Yes	

Prior notification of a concentration
(Case COMP/M.4368 — Edison/Eneco Energia)

(2006/C 228/06)

(Text with EEA relevance)

1. On 15 September 2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertaking Edison S.p.A. ('Edison', Italy) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of Eneco Energia s.r.l. ('Eneco', Italy) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Edison: generation, transmission and supply of electricity, production, transportation, distribution and supply of hydro-carbons mainly in Italy;
- for Eneco: retail-supply of electricity in Italy.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. 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. Observations can be sent to the Commission by fax (fax No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4368 — Edison/Eneco Energia to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Bruxelles/Brussel

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Prior notification of a concentration
(Case COMP/M.4350 — Hewlett Packard/Mercury Interactive)

(2006/C 228/07)

(Text with EEA relevance)

1. On 15 September 2006, the Commission received a notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004⁽¹⁾ by which the undertaking Hewlett Packard Company ('HP', USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Mercury Interactive Corporation ('Mercury', USA) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for undertaking HP: Provision of IT infrastructure products, personal computing and access devices, global IT services, and imaging and printing;

— for undertaking Mercury: Provision of application testing software and IT governance software.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. 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. Observations can be sent to the Commission by fax (fax No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4350 — Hewlett Packard/Mercury Interactive, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Bruxelles/Brussel

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Non-opposition to a notified concentration
(Case COMP/M.4114 — Lottomatica/GTECH)

(2006/C 228/08)

(Text with EEA relevance)

On 19 May 2006, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004. The full text of the decision is available only in Italian and will be made public after it is cleared of any business secrets it may contain. It will be available:

- from the Europa competition website (<http://ec.europa.eu/comm/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
 - in electronic form on the EUR-Lex website under document number 32006M4114. EUR-Lex is the on-line access to European law. (<http://ec.europa.eu/eur-lex/lex>)
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Prior notification of a concentration
(Case COMP/M.4264 — Cerberus/GMAC)
Candidate case for simplified procedure

(2006/C 228/09)

(Text with EEA relevance)

1. On 14 September 2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which Cerberus Group ('Cerberus', USA) via the acquisition vehicle FIM Holdings LLC ('FIM', USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking General Motors Acceptance Corporation ('GMAC', USA) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— Cerberus is active in investment in real property and personal property worldwide and is ultimately controlled by Mr Stephen A. Feinberg,

— GMAC is active in the EEA in motor-related activities (e.g. loan and leasing finance for motor vehicles, motor policy reinsurance, second hand vehicle sales, fleet management services), financial services (e.g. factoring, commercial lending, residential mortgage lending) and employee relocation services.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under 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. Observations can be sent to the Commission by fax (fax No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4264 — Cerberus/GMAC, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Bruxelles/Brussel

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.