

EUROPEAN COMMISSION

LEGAL SERVICE

Brussels, 26/10/2006

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*Opinion of the Legal Service**

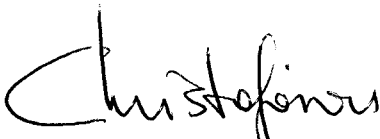
**NOTE TO MR LOWE
DIRECTOR GENERAL, DG COMPETITION**

**Subject: Case COMP/F/38.638 – BR/ESBR
Consultation: draft Article 7 decision**

Ref.: Note No. D-6185 from Mr. K. Mehta dated 3 October 2006

The Legal Service can give a favourable opinion on the draft Article 7 decision (modified version received by e-mail from Mr. Massimo De Luca on 26 October 2006 at 17:42), in view of its sending to the Advisory Committee on Restrictive Practices and Dominant Position.

The Legal Service reserves the right to make (minor) additional comments on the text of the draft decision, including on the basis of the opinion of the Advisory Committee.


Theofanis CHRISTOFOROU


Viktor BOTTKA

Copy (by e-mail): Mrs. Boix Alonso (Cabinet of Mrs. Kroes)
Mr. K. Mehta, Mr. E. Paulis, Mr. D. Van Erps,
Mr. B. List, Mr. M. De Luca (DG COMP)
COMP A CONSULT ANTITRUST
COMP HEARINGOFFICER
COMP CET