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# Investors & Analysts' Briefing

## **EDP FILES APPEAL AGAINST THE DECISION BY THE EUROPEAN COMMISSION BLOCKING THE ACQUISITION OF JOINT CONTROL OF GDP**

As disclosed on December 14<sup>th</sup> 2004, EDP – ENERGIAS DE PORTUGAL, S.A. (“EDP”) received notice of the European Commission’s decision on the concentration by which EDP and ENI S.p.A. would acquire joint control over GDP – Gás de Portugal, SGPS, S.A. (“Decision”). In this Decision the Commission considered that such acquisition is incompatible with the common market, in accordance with Article 8(3) of Council Regulation no. 4064/89, of 21 December, on the control of concentrations between undertakings (“Merger Regulation”) and, as a consequence, not permitted.

Given its opposition to the Decision, and following a detailed analysis made by entities not involved in the initial notification, EDP has filed today, within the legally defined period, a judicial appeal with the Court of First Instance of the European Communities (“CFI”), pursuant to Art. 230 (4) of the EC Treaty, requesting the annulment of such Decision.

### **EDP – Energias de Portugal, S.A.**

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