

EDP ENERGIAS DE PORTUGAL SA

Form 6-K

December 13, 2004

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**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

**Washington, D.C. 20549**

**Form 6-K**

**REPORT OF FOREIGN PRIVATE ISSUER PURSUANT TO**

**RULE 13A-16 OR 15d-16 UNDER THE SECURITIES**

**EXCHANGE ACT OF 1934**

For the Month of December 2004

**EDP- Energias de Portugal, S.A.**

**Praça Marquês de Pombal, 12**

**1250-162 Lisbon, Portugal**

**(Address of principal executive offices)**

(Indicate by check mark whether the registrant files or will file annual reports under cover of

Form 20-F or Form 40-F.)

Form 20-F ☒ Form 40-F ☐

(Indicate by check mark whether the registrant by

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furnishing the information contained in this form  
is also thereby furnishing the information to the  
Commission pursuant to Rule 12g3-2(b) under the  
Securities Exchange Act of 1934.)

Yes ☐ No ☒

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Lisbon, December 9<sup>th</sup> 2004

Reuters: EDPP.IN / EDP.N  
Bloomberg: EDP PL / EDP US

**INVESTOR RELATIONS DEPARTMENT**  
Pedro Pires, Head of IR

Gonalo Santos

Elisabete Ferreira

Cristina Requicha

Rui Antunes

Catarina Mello

**EDP INFORMS ON THE FINAL DECISION ADOPTED BY THE  
EUROPEAN COMMISSION RELATING TO THE ACQUISITION OF  
JOINT CONTROL OVER GDP GÁS DE PORTUGAL, SGPS, S.A.**

Following the information made public by EDP's Board of Directors on the 8<sup>th</sup> of December, EDP informs that it was notified today of the final decision taken by the European Commission ( Commission ) in relation to the competition appraisal of the acquisition of joint control over GDP Gás de Portugal, SGPS, S.A. ( GDP ) by EDP and Eni S.p.A. ( ENI ).

The Commission's decision of 9 December, 2004 considered that the concentration by which EDP and ENI would acquire joint control over GDP is incompatible with the common market, in accordance with the provisions set forth in Council Regulation nr. 4064/89, of 21 December, on the control of concentrations between undertakings.

The Commission considered that the commitments presented by EDP and ENI with the purpose of eliminating competition concerns raised by that entity during the investigation proceedings on the abovementioned concentration did not fully address those same concerns. These commitments relate both the natural gas and the electricity businesses and only a number of significant divestments from generation assets would be considered as sufficient to eliminate those same concerns in the electricity sector. Consequently, the Commission decided to prohibit the proposed transaction.

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*Capital Social: 3,000,000,000 Matrícula: 1805 da C.R.C. Lisboa Pessoa Colectiva 500 697 256*

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

Dated December 13, 2004

EDP- Energias de Portugal, S.A.

By: /s/ João Ramalho Talone  
Name: João Ramalho Talone  
Title: Chief Executive Officer