Prior notification of a concentration

(Case M.10540 – ECDC / HPIL / JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2022/C 31/07)

1. On 12 January 2022, 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:

— Energy City Development Company ('ECDC', Saudi Arabia), a wholly-owned subsidiary of Saudi Arabian Oil Company ('Saudi Aramco', Saudi Arabia),

— Hutchison Port Investments Limited ('HPIL', Cayman Islands) belonging to CK Hutchison Holdings Limited ('CKHH', Hong-Kong).

ECDC and HPIL acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Energy City Logistics Company LLC (the Joint Venture, Saudi Arabia).

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:

— for ECDC: owner and developer of the King Salman Energy Park (SPARK), an in-development industrial area in the Kingdom of Saudi Arabia,

— for HPIL: a global developer and operator of container terminals and provider of associated logistical services,

— for Joint Venture: it will be established and be active in the Kingdom of Saudi Arabia. It will develop, market and operate the dry port and related logistics zone in SPARK.

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 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.10540 – ECDC / HPIL / JV

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

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

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

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