EUROPEAN COMMISSION

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PUBLIC VERSION

EP Power Europe, a.s.
Pařížská 130/26
110 00 Prague 1
Czech Republic

Subject: **Case M.10960 – EPPE / PZEM SUBSIDIARIES**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]

Dear Sir or Madam,

1. On 20 October 2022, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which the undertaking EP Power Europe, a.s. ("EPPE"), belonging to the EPH Group (both Czech Republic), will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole of the undertakings PZEM Energy Company B.V. ("PEC") and its subsidiaries (a) Sloe Centrale Holding B.V. ("SCH"), (b) Sloe Centrale B.V. ("SCBV") and (c) PZEM Tolling Sloe B.V. ("PZEM TOLLING"), and PZEM Pipe B.V. ("PZEM PIPE") (all from the Netherlands, together hereinafter the "Target"), currently either solely owned and controlled by PZEM Ficus or jointly owned and controlled by PZEM Ficus and EDF International by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are the following:

   – EPPE (Czech Republic) belongs to the EPH Group. The EPH Group is a vertically integrated energy utility with several activities including lignite mining, electricity and heat production, distribution and supply as well as gas transmission, distribution, storage and supply,

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1 OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

2 OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

3 Publication in the Official Journal of the European Union No C 417, 31/10/2022, p. 20.

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– The Target entities are active in the energy and gas sector.

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[4]

4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Olivier GUERSENT
Director-General

4 OJ C 366, 14.12.2013, p. 5.