Prior notification of a concentration

(Case M.10871 – E.ON / FSI / WESTENERGIE BREITBAND)

Candidate case for simplified procedure

(Text with EEA relevance)

(2022/C 320/23)

1. On 17 August 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:

— E.ON SE ('E.ON', Germany),

— First Sentier Investors Holdings Pty Ltd ('FSI', Australia), currently controlled by Mitsubishi UFL Financial Group, Inc, ('MUFG', Japan),

— Westenergie Breitband GmbH ('Westenergie Breitband', Germany), currently controlled by E.ON.

E.ON and MUFG will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Westenergie Breitband.

The concentration is accomplished by way of purchase of shares.

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

— E.ON is an international energy and utility company,

— FSI forms part of the global asset management group First Sentier Investors Group that is ultimately controlled by MUFG, a global asset management group and provider of banking services,

— Westenergie Breitband builds and operates glass fibre optic broadband networks in Germany.

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.10871 – E.ON / FSI / WESTENERGIE BREITBAND

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.

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË