EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying party

Subject: **Case M.9699 – MITSUBISHI CORPORATION / ENECO GROEP**
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 16 January 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Mitsubishi Corporation ("MC", Japan) acquires within the meaning of Article 3(1)(b) of the Merger Regulation indirect sole control over the whole of the undertaking Eneco Groep N.V. ("Eneco", the Netherlands) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – MC is a global integrated trading company which develops and operates businesses across a variety of industries. MC (through its subsidiaries) is active in the development, construction and operation of windfarms, generation and wholesale supply of electricity and in trading of electricity in the EEA,

   – Eneco is active in the production and storage of electricity from (sustainable) resources, including wind, solar, water and bio-energy, the supply of electricity and gas to private and business customers, and provision of ancillary services.

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

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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 23, 23.1.2020, p. 13.

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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.