Prior notification of a concentration

(Case M.9626 — PKN Orlen/Energa)

(Text with EEA relevance)

(2020/C 72/07)

1. On 26 February 2020, 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:

— PKN Orlen S.A. ('Orlen', Poland),

— Energa S.A. ('Energa', Poland).

Orlen acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Energa.

The concentration is accomplished by way of a public bid announced on 5 December 2019.

2. The business activities of the undertakings concerned are:

— Orlen is an oil and gas company active on the wholesale and retail markets for refined oil products in Poland, Austria, Czechia, Estonia, Latvia, Lithuania, Germany and Slovakia. It is also active in the generation and wholesale supply of electricity in Poland,

— Energa is an energy company active in the generation and wholesale supply, distribution, and retail supply of electricity and other energy-related activities in Poland.

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.

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.9626 — PKN Orlen/Energa

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

Postal address:

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

[1] OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').