Prior notification of a concentration

(Case M.10461 – OTPP/Brookfield/OMERS/SGN)

Candidate case for simplified procedure

(Text with EEA relevance)

(2021/C 430/11)

1. On 14 October 2021, 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:

— Ontario Teachers' Pension Plan Board ('OTPP') (Canada),

— UK Gas Distribution 1 Limited and UK Gas Distribution 2 Limited (UK), controlled by Brookfield Asset Management Inc ('Brookfield') (Canada),

— Borealis Infrastructure Europe (UK) Limited (UK), controlled by OMERS Administration Corporation ('OMERS') (Canada),

— Scotia Gas Networks Ltd ('SGN') (UK).

OTPP, Brookfield and OMERS acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of SGN.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for OTPP: administration of pension benefits and the investment of pension plan assets,

— for Brookfield: a global asset manager that offers a range of public and private investment products and services, with an investment focus on real estate, infrastructure, renewable power and private equity,

— for OMERS: investment and administration of pensions,

— for SGN: the second largest gas distribution network in the UK. SGN owns Scotland Gas Networks plc and Southern Gas Networks plc. These two networks cover the whole of Scotland, south London and the south east of England.

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.10461 – OTPP/Brookfield/OMERS/SGN

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