Prior notification of a concentration

(Case M.9940 — AAUK2/MUL/Ballyhoura Wind/CCWFL)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 338/07)

1. On 5 October 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:

— Arjun Alliance UK 2 LP ('AAUK2' United Kingdom), ultimately controlled by AIP Holdings Limited,

— Mitsubishi UFJ Lease & Finance Company Limited ('MUL', Japan),

— Ballyhoura Wind Limited ('Ballyhoura Wind', Ireland),

— CCWFL Limited ('CCWFL', Ireland).

AAUK2 and MUL acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of Ballyhoura Wind and CCWFL, through the establishment of a special purpose vehicle AAUK2 MUL HoldCo. The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for AAUK2: a limited partnership established in April 2020, ultimately controlled by AIP Holdings, an independent infrastructure asset management business focusing on partnerships with institutional investors to access direct infrastructure investments within the industries of regulated utilities, energy and renewables, and transportation,

— for MUL: a multi-service group based in Japan, with activities related to leasing and finance, rental, used equipment trading, sales support financing, asset management services, consulting services, aviation, real estate, logistics, environment and energy, healthcare and infrastructure and investment,

— for Ballyhoura Wind: holds the onshore Ballyhoura Wind wind farm located in County Cork, Ireland,

— for CCWFL: holds the onshore Slievecallan wind farm located in County Clare, Ireland.

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 the 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.9940 — AAUK2/MUL/Ballyhoura Wind/CCWFL

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

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.

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