V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.10818 – TOTALENERGIES / GIP / CLEARWAY ENERGY GROUP / SUNPOWER GROUP)

Candidate case for simplified procedure

(Text with EEA relevance)

(2022/C 283/08)

1. On 18 July 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:

— TotalEnergies SE ('TotalEnergies', France),

— Global Infrastructure Management, LLC ('GIP', United States),

— Clearway Energy Group, LLC ('CEG', United States) and its subsidiaries (together, 'Clearway Energy Group'),

— SunPower Corporation ('SPWR', United States) and its subsidiaries (together, 'SunPower Group').

TotalEnergies and GIP will acquire indirectly within the meaning of Articles 3(1)b and 3(4) of the Merger Regulation joint control of Clearway Energy Group and SunPower Group.

The concentration is accomplished by way of purchase of shares.

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

— TotalEnergies: publicly traded energy company engaged on a global scale in the oil and gas industry. TotalEnergies is also globally active in the renewable energy, power generation sectors, and carbon neutrality businesses,

— GIP: global independent infrastructure fund manager primarily focused on investing in transportation, energy, digital infrastructure and waster/water sectors,

— Clearway Energy Group: energy infrastructure investor focusing on investments in the United States,

— SunPower Group: solar technology and energy services provider in the United States and Canada.

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.

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

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.10818 – TOTALENERGIES / GIP / CLEARWAY ENERGY GROUP / SUNPOWER GROUP

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

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Fax +32 22964301

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([2]) OJ C 366, 14.12.2013, p. 5.