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PUBLIC VERSION

SEFE Securing Energy for Europe
GmbH
Markgrafenstraße 23
10117 Berlin
Germany

Subject: **Case M.11520 – SEFE / WIGA / WIGA GP**
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 30 April 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which the undertaking SEFE Securing Energy for Europe GmbH ("SEFE", Germany), controlled by the German Federal Ministry for Economic Affairs and Climate Action (Germany), will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole WIGA Transport Beteiligungs-GmbH & Co. KG ("WIGA", Germany), currently jointly controlled by SEFE and Wintershall DEA AG ("Wintershall", Germany), and WIGA Verwaltungs-GmbH ("WIGA GP", Germany), currently jointly controlled by SEFE and Wintershall by way of purchase of shares. ([3])

(2) The business activities of the undertakings concerned are the following:

– SEFE is a supplier of natural gas with a strong footprint in the German market. SEFE's main business areas include global sourcing, trading and sales, transportation and storage of natural gas and LNG,

– WIGA is a holding company for undertakings active in the operation of high-pressure gas transmission pipelines in Germany,

– WIGA GP is the personally liable general partner of WIGA.

([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]) OJ C, C/2024/3126, 8.5.2024.

(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 paragraph 5(e) of the Commission Notice on a simplified treatment for certain concentrations under Council Regulation (EC) No 139/2004. ([4])

(4) For the reasons set out in the Notice on a simplified treatment, 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.

(5) The present decision is taken without prejudice to the application of restrictive measures applicable to certain Russian entities and the assessment thereof that may be made by the competent national authorities of the Member States. Before the transaction is implemented, the Parties remain responsible to examine whether its consummation would violate the relevant provisions of Regulation 692/2014, Regulation 833/2014, Regulation 269/2014 and Regulation 2022/263.

For the Commission

(Signed)
Olivier GUERSENT
Director-General

([4]) OJ C 160, 5.5.2023, p. 1 (the 'Notice on a simplified treatment').