Prior notification of a concentration

(Case: M.8555 — AES/Siemens/Fluence Energy/JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2017/C 317/04)

1. On 15 September 2017, 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:

— AES Corporation Inc. (United States),

— Siemens AG (Germany),

— Fluence Energy LLC (United States), controlled by AES Corporation Inc. and Siemens AG.

AES Corporation Inc. ('AES') and Siemens AG ('Siemens') acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Fluence Energy LLC ('Fluence Energy').

The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

— for AES: AES is a global power company,

— for Siemens: Siemens is active in a number of industrial areas,

— for Fluence Energy: The business activities of Fluence Energy will be in developing and marketing battery-based energy storage solutions.

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.8555 — AES/Siemens/Fluence Energy/JV

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