EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying parties

Subject: **Case M.9049 – E.ON / CLEVER / UFC SCANDINAVIA JV**
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 17 October 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings E.ON SE ("E.ON", Germany) and Clever A/S ("Clever", Denmark), controlled by SEAS-NVE acquire within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation joint control over a newly-created joint venture by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – E.ON is an energy company with activities in 3 main business areas: (i) energy networks; (ii) renewable energies; and (iii) customer solutions, including electricity and gas retail supply;

   – Clever is an electric mobility service provider, active in charging solutions to companies, public institutions and end customers;

   – The JV will develop and operate ultra-fast charging (UFC) stations for electric vehicles in Norway, Sweden and Denmark.

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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 Publication in the Official Journal of the European Union No C 384, 24.10.2018, p. 9.

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

4. For the reasons set out in the Notice on a simplified procedure, 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.

For the Commission

Signed
Johannes LAITENBERGER
Director-General

4 OJ C 366, 14.12.2013, p. 5.