Prior notification of a concentration

(Case M.8983 — Spigas/Canarbino/Miogas)

Candidate case for simplified procedure

(Text with EEA relevance)

(2018/C 286/04)

1. On 7 August 2018, 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:

— Spigas S.r.l. ('Spigas') (Italy), controlled by EnBW Energie Baden-Württemberg AG ('EnBW') (Germany),

— Canarbino SpA ('Canarbino') (Italy),

— Miogas & Luce S.r.l. ('Miogas') (Italy).

Spigas and Canarbino acquire, within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation, joint control of Miogas. The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— Spigas is active on the markets for the wholesale supply of gas, primarily in Italy, but also in other markets in the EU. Furthermore, Spigas focuses on industrial gas customers with an annual consumption greater than 1 000 000 m^3 as well as on small gas end-customers in certain Italian regions,

— Canarbino operates as a vertically integrated company in the energy supply chain, both in gas and electricity. In recent years, Canarbino Group has strengthened its position along the entire energy supply chain through the expansion in the downstream segment in Italy. Canarbino carries out trading activities of electricity and natural gas on all the major energy exchanges and on the major European gas hubs. The energy purchased is resold to wholesale customers. In the downstream segment (retail supply to end-customers), Canarbino Group reaches 165 000 customers concentrated mainly in central and northern Italy (with a focus on Milan),

— Miogas is a regional supplier of natural gas and electricity for about 35 000 customers in the south-western belt of Milan, mainly in the municipalities of Gaggiano, Binasco, Rozzano and Melegnano.

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.8983 — Spigas/Canarbino/Miogas

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
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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.