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PUBLIC VERSION

Agencja Rozwoju Przemysłu S.A.
Nowy Swiat 6/12
00-400 Warsaw
Poland

GRI Renewable Industries S.L.
Colle Ombu 3 Planta 11-12
28045 Madrid
Spain

Subject: **Case M.11082 – ARP / GRI / 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 27 June 2023, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which the undertakings Agencja Rozwoju Przemysłu S.A. ('ARP') (Poland), ultimately controlled by the Polish State, and GRI Renewable Industries S.L. ('GRI') (Spain), ultimately jointly controlled by Acek Desarrollo Y Gestion Industrial S.L. (Spain) and Mitsui & Co., Ltd. (Japan), will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of Baltic Towers sp. z o. o. ('JV') (Poland) by way of purchase of shares.[3]

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

   – ARP's global activities range from portfolio company and property management to cultural heritage preservation. ARP is also active in the production and distribution of onshore wind towers through a subsidiary,

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 236, 4.7.2023, p. 13.

– GRI is dedicated to the manufacture and supply of metal components for wind turbines, i.e. GRI manufactures wind towers (onshore and offshore), flanges and castings globally.

3. The business activities of the JV will be the development, construction and operation of an offshore wind tower manufacturing plant in Gdańsk, Poland.

4. 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]

5. 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)
Olivier GUERSENT
Director-General

4 OJ C 366, 14.12.2013, p. 5.