EUROPEAN COMMISSION

Brussels, 07.05.2019
C(2019) 3627 final

PUBLIC VERSION

To the notifying parties

Subject: **Case M.9351 – DIF/Green Investment Group/Covanta/Dublin Waste-to-energy facility**
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 9 April 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which DIF Infra 5 UK Limited ("DIF"), controlled by DIF Management Holding BV (the Netherlands), Green Investment Group Investments Limited ("GIG", UK), controlled by Macquarie Group Limited (Australia) and Covanta Holding 3 UK Limited ("Covanta"), controlled by Covanta Holding Corporation (USA), acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the Dublin Waste-to-energy facility (Ireland) currently jointly controlled by Covanta and GIG.

   The concentration is accomplished by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – DIF is an infrastructure investment fund;

   – GIG specialises in green energy principal investment, project delivery and portfolio management and related services;

   – Covanta is primarily involved in the waste disposal and energy sectors;

   – The Dublin Waste-to energy facility is active in the disposal of waste and generation of electricity.

---

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 C140, 16.4.2019, p. 11.

Commission européenne, DG COMP MERGER REGISTRY, 1049 Bruxelles, BELGIQUE
Europese Commissie, DG COMP MERGER REGISTRY, 1049 Brussel, BELGIË

Tel: +32 229-91111. Fax: +32 229-64301. E-mail: COMP-MERGER-REGISTRY@ec.europa.eu.

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(b) 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.