EUROPEAN COMMISSION

Brussels, 31.8.2023
C(2023) 6015 final

PUBLIC VERSION

Mitsui & Co., Ltd.
2-1 Otemachi 1-chome
Chiyoda-ku, Tokyo
Japan

European Energy A/S
Gyngemose Parkvej 50
2860 Søborg
Denmark

Subject: **Case M.11220 - MITSUI & CO / EUROPEAN ENERGY / KASSO 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 8 August 2023, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which Mitsui & Co., Ltd. ("Mitsui", Japan), publicly listed and not controlled by any of its shareholders, and EE PV Holding ApS, a wholly-owned subsidiary of European Energy A/S ("European Energy", Denmark) which is in turn controlled by Mr. Knud Erik Andersen, will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation, joint control of Kassø MidCo ApS ("Kassø" or "JV", Denmark) by way of purchase of shares.[3]

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

   – Mitsui is a trading, business management and project development company. Mitsui operates worldwide and is active in various sectors, including: (i) iron & steel products; (ii) mineral & metal resources; (iii) infrastructure projects; (iv) mobility; (v) basic chemicals; (vi) performance chemicals; (vii) energy; (viii) food resources; (ix) consumer services; and (x) IT & communication/ corporate development,

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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 287, 16.8.2023, p. 3.

– European Energy provides green energy services by developing and operating infrastructure projects comprising of wind farms, solar parks and "Power-to-X" facilities globally.

3. The business activities of Kassø are the production of electricity from a solar power generation plant and the production of e-methanol from a "Power-to-X" facility near Kassø.

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(c) 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.