Prior notification of a concentration

(Case M.9840 – Macquarie/Fresco International)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 132/11)

1. On 16 April 2020, 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:

— Macquarie European Infrastructure Fund 4 LP ('MEIF 4') (the United Kingdom), ultimately controlled by Macquarie Group Limited ('Macquarie') (Australia),

— Fresco International S.à.r.l ('Fresco International') (Luxembourg), currently jointly indirectly controlled by Macquarie and Kuwait Investment Authority ('KIA') (Kuwait).

MEIF 4 acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Fresco International.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for Macquarie: Macquarie is an investment company with interests in a number of companies in various industry sectors, including but not limited to interests in energy utilities in Europe,

— for Fresco International: Fresco International is the holding company of the Viesgo Group. The Viesgo Group is incorporated in Spain, with interests in an electricity distribution network in Spain and electricity generation assets in both Spain and Portugal. Fresco International is currently jointly indirectly controlled by Macquarie and KIA.

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.9840 – Macquarie/Fresco International

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
1049 Bruxelles/Brussel
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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.