PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.11242 – EP CORPORATE GROUP / LEB / LEK)

Candidate case for simplified procedure

(Text with EEA relevance)

(2023/C 317/06)

1. On 31 August 2023, 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:

— EP Corporate Group, a.s. ('EPCG', Czechia),

— Lausitz Energie Bergbau AG ('LEB', Germany), jointly controlled by EPCG and PPF Investments Ltd. ('PPF', USA),

— Lausitz Energie Kraftwerke AG ('LEK', Germany), jointly controlled by EPCG and PPF.

EPCG will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of LEB and LEK.

The concentration is accomplished by way of purchase of shares.

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

— EPCG is active in coal extraction, electricity and heat production and distribution, as well as electricity and gas supply in various countries within the EEA and the UK**,**

— LEB is active in the mining and supply of lignite in Germany,

— LEK is active in the generation and supply of electricity in Germany.

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 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.11242 – EP CORPORATE GROUP / LEB / LEK

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.

Observations can be sent to the Commission by email or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË