EUROPEAN COMMISSION

Brussels, 4.2.2022
C(2022) 796 final

PUBLIC VERSION

Energy City Development Company
P.O. Box 5000
Dhahran 31311
Saudi Arabia

Hutchinson Port Investments Company
George Town, Grand Cayman
Ugland House, P.O. Box 309
KY 1104 Cayman Islands

Subject: **Case M.10540 – ECDC / HPIL / 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 12 January 2022, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Energy City Development Company ("ECDC", Saudi Arabia), a wholly-owned subsidiary of Saudi Arabian Oil Company ("Saudi Aramco", Saudi Arabia) and Hutchison Port Investments Limited ("HPIL", Cayman Islands) belonging to CK Hutchison Holdings Limited ("CKHH", Hong-Kong) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Energy City Logistics Company LLC (the "Joint Venture", Saudi Arabia) by way of purchase of shares in a newly created company constituting a joint venture.[3]

2. The business activities of the undertakings concerned are:

   – for ECDC: owner and developer of the King Salman Energy Park (SPARK), an in-development industrial area in the Kingdom of Saudi Arabia,

---

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 31, 21.1.2022, p. 10.

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.

– for HPIL: a global developer and operator of container terminals and provider of associated logistical services,

– for Joint Venture: it will be established and be active in the Kingdom of Saudi Arabia. It will develop, market and operate the dry port and related logistics zone in SPARK.

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(a) and 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)
Olivier GUERSENT
Director-General

4 OJ C 366, 14.12.2013, p. 5.