Prior notification of a concentration

(Case M.10867 – GIP / AZURE / OMERS / VTG)

Candidate case for simplified procedure

(Text with EEA relevance)

(2022/C 319/08)

1. On 12 August 2022, 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:

— Global Infrastructure Partners funds ('GIP', USA), controlled by Global Infrastructure Management, LLC (USA),

— Azure Vista C 2020 S.à.r.l. ('Azure', Luxembourg), belonging to/controlled by Abu Dhabi Investment Authority ('ADIA', Abu Dhabi),

— OMERS Administration Corporation ('OAC', Canada),

— VTG Aktiengesellschaft ('VTG', Germany).

GIP, Azure/ADIA and OAC will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of VTG.

The concentration is accomplished by way of purchase of shares.

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

— GIP is a global independent infrastructure fund manager founded in 2006. GIP's funds invest in equity and equity-related investments in infrastructure and infrastructure-related assets in the transportation, energy, water and other public service sectors,

— Azure is focused on infrastructure investments and owns several minority shareholdings primarily in Europe,

— OAC is the administrator of the Ontario Municipal Employees Retirement System Primary Pension Plan and administers pensions for active, deferred and retired employees of municipalities, school boards, libraries, police and fire departments and other local agencies in Ontario, Canada,

— VTG is an international wagon hire and rail logistics company structured into three main business divisions: railcar leasing, rails logistics and tank containers. VTG provides transportation solutions for a full range of cargo including liquids, gases, steel, wood and paper products as well as coal, stone, soil and automotive goods.

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.10867 – GIP / AZURE / OMERS / VTG

([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, 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
BELGIQUE/BELGIË