C/2024/5932

1.10.2024

Prior notification of a concentration

(Case M.11748 - EPUKI / TTE / WEST BURTON FLEXIBLE GENERATION)

Candidate case for simplified procedure

(Text with EEA relevance)

(C/2024/5932)

1. On 24 September 2024, 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 UK Investments Limited ('EPUKI', United Kingdom), ultimately controlled by Mr Daniel Křetínský,

— TotalEnergies Gas & Power Holdings UK Limited ('TTE', United Kingdom), controlled by TotalEnergies SE, France,

— West Burton Flexible Generation Limited ('West Burton Flexible Generation', United Kingdom), controlled by TTE

EPUKI and TTE will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of West Burton Flexible Generation.

The concentration is accomplished by way of purchase of shares.

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

— EPUKI is active in the United Kingdom (i) in the generation and wholesale supply of electricity, (ii) in the provision of balancing and ancillary services, (iii) in financial electricity trading and (iv) in the retail supply of gas,

— TTE supplies gas to industrial and commercial customers and is active in the generation and wholesale supply of electricity in the United Kingdom.

3. The business activities of West Burton Flexible Generation relate to the generation, wholesale supply of electricity and provision of balancing and ancillary services in the United Kingdom.

4. 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 treatment for certain concentrations under Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings ([2]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

5. 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.11748 - EPUKI / TTE / WEST BURTON FLEXIBLE GENERATION

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 160, 5.5.2023, p. 1.

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

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Postal address:

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