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Hanwha Q CELLS GmbH
Hildegard-Knef-Platz 3,
10829 Berlin,
Germany

Enercity AG
Ihmeplatz 2,
30449 Hanover,
Germany

Subject: **Case M.10863 – HANWHA Q CELLS / ENERCITY / LYNQTECH**
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 19 September 2022, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Hanwha Q CELLS GmbH ("Hanwha Q CELLS", Germany), ultimately controlled by Hanwha Corporation (Republic of Korea), and enercity AG ("enercity", Germany), ultimately controlled by Versorgungs- und Verkehrsgesellschaft Hannover mbH ("VVG", Germany), acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of LynqTech GmbH ("LynqTech", Germany), currently solely controlled by enercity. The concentration is accomplished by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for Hanwha Q CELLS: energy solution provider wih a business scope ranging from the midstream of cells and modules to downstream solar solutions for residential, commercial, and industrial buildings, as well as for large solar

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 367, 26.09.2022, p.15.

power plants. Hanwha Q CELLS is controlled by Hanwha Corporation (South Korea), a company active globally in manufacturing, construction, chemicals, finance, services and leisure,

– for enercity: utility service provider distributing electricity, natural gas, district heating, wood energy and drinking water. In addition, it offers energy related services and operates power plants and power-to-heat plants for district heating, as well as biogas plants. Enercity is ultimately controlled by VVG, a holding company held by the City of Hanover and the Region Hanover. VVG is active in public transport, infrastructure (light rail) and utility services,

– for LynqTech: development, implementation, operation, marketing and licensing of IT-based sales solutions for companies (contract initiation to accounting), in particular in the energy sector.

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(c) 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.