EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying parties

Subject: **Case M.9915 – MITSUBISHI CORPORATION ENERGY / ENEOS / TAIYO KOYU**
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 28 July 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Mitsubishi Corporation Energy ("MCE", Japan), controlled by Mitsubishi Corporation and ENEOS Corporation ("ENEOS", Japan), controlled by ENEOS Holdings Inc. acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of the undertaking Taiyo Koyu Co., Ltd. ("Taiyo Koyu", Japan) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for MCE: the sale and trade (export/import) of petroleum products, construction and operation of fuel stations, and sale of various industrial products,

   – for ENEOS: energy, including production and sale of petroleum products, petrochemicals, electricity, lubricants, coal and hydrogen,

   – for Taiyo Koyu: the operation of full service and self-service fuel stations for trucks in Japan, the retail sale of gasoline, kerosene, diesel, lubricating oils, and other petroleum products, the sale of automotive parts, car inspection, and other car maintenance services.

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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 256, 4.8.2020, p. 3.

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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) 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.