EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying parties

Subject: **Case M.9377 - MIRA / BCI / iGH**
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 29 May 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Macquarie Infrastructure and Real Assets (Europe) Limited ("MIRA", Australia), belonging to Macquarie Group Limited (Australia), and British Columbia Investment Management Corporation ("BCI", Canada), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of innogy Grid Holdings, a.s. ("iGH", Czech Republic), currently solely controlled by RWE Czech Gas Grid Holding B.V. (Czech Republic) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

— MIRA focuses on the management of infrastructure and other real assets, including real estate, energy and agricultural assets.

— BCI invests in fixed income, mortgages, public and private equity, real estate, infrastructure and renewable resources.

— iGH is a holding company for GasNet, s.r.o. (which operates iGH's gas distribution and gas pipeline system) and GridServices, s.r.o., (which maintains the distribution system and gas installations for GasNet) in Czechia.

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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 192, 7.6.2019, p. 43.

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.

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(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)
Johannes LAITENBERGER
Director-General

4 OJ C 366, 14.12.2013, p. 5.