EUROPEAN COMMISSION

Brussels, 23.12.2020
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PUBLIC VERSION

To the notifying party

Subject: **Case M.10055 – MIRA / ROMANIAN ASSETS OF CEZ**
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 1 December 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Macquarie Infrastructure and Real Assets (Europe) Limited ("MIRA", United Kingdom) intends to acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of some of the assets of ČEZ a.s. ("CEZ", Czechia), notably its Romanian electricity generation, electricity distribution, and electricity and natural gas retail supply assets ("Romanian assets of CEZ", Romania) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for MIRA: the management of infrastructure and other real assets, including real estate, energy and agricultural assets. MIRA forms part of the Macquarie Infrastructure and Real Assets division of Macquarie Group Limited, a global investment, banking and financial services provider,

   – for Romanian assets of CEZ: seven companies which together operate an electricity distribution network, a portfolio of renewable energy assets and a retail electricity and gas supply business, all located in Romania. These companies are Distributie Energie Oltenia SA, ČEZ Vanzare SA, Ovidiu Development SA, Tomis Team SA, MW Team Invest SRL, ČEZ Romania SA and TMK Hydroenergy Power SRL.

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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 424, 8.12.2020, p. 38.

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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(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)
Olivier GUERSENT
Director-General

4 OJ C 366, 14.12.2013, p. 5.