EUROPEAN COMMISSION

Brussels, 4.12.2018
C(2018) 8421 final

PUBLIC VERSION

To the notifying parties

Subject: **Case M.9133 - MET RENEWABLES / O ZONE / NIS ENERGOWIND**
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 9 November 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings MET Renewables AG (Switzerland) belonging to the MET group, and O Zone a.d. (Serbia) belonging to the Gazprom Group, acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of the undertaking NIS Energowind d.o.o. Beograd (Serbia) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for MET Renewables: a holding company, holding participation in entitites in the energy sector,

   – for O Zone: ownership and management of hotels, resorts and restuarants in Serbia and Montenegro,

   – for NIS Energowind: ownership, development and future operation of a 102 MW wind power plant in Serbia.

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

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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 418, 19.11.2018, p. 10.

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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.