

***Case No COMP/M.5520 -
ITOCHU/ MITSUBISHI/
ENOLIA/ JV***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 23/06/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23/06/2009
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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties:

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.5520 – ITOCHU/ MITSUBISHI/ ENOLIA/ JV
Notification of 19.5..2009 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 121,
29.05.2009, p. 27.**

1. On 19 May 2009, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by Itochu Corporation ("Itochu", Japan), Mitsubishi Heavy Industries Ltd. ("Mitsubishi", Japan) and Enolia Energy S.A. (Enolia, "Greece) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control over the company Enolia Solar Systems S.A., Greece ("JV") by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for Itochu: import and export in diversified product areas,
 - for Mitsubishi: diversified manufacturing,
 - for Enolia: renewable electricity generation,
 - for JV: supply of photovoltaic modules and integration and installation of photovoltaic systems.

¹ OJ L 24, 29.1.2004, p. 1.

3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No 139/2004 and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EC) No 139/2004.

For the Commission
(signed)
Philip LOWE
Director General

² OJ C 56, 05.3.2005, p. 32.