

***Case No COMP/M.6282 -
ERG/ LUKOIL/ JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 05/07/2011

***In electronic form on the EUR-Lex website under document
number 32011M6282***



EUROPEAN COMMISSION

Brussels, 5.7.2011
C(2011) 4985 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.6282 - ERG/ LUKOIL/ JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 07/06/2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings ERG Renew (ERG Renew, Italy), a company belonging to the ERG Group and OOO Lukoil-Ecoenergo (Lukoil Ecoenergo, Russian Federation), a company belonging to the Lukoil Group, acquire within the meaning of Article 3(4) of the Merger Regulation joint control of a newly created company constituting a joint venture ("JV CO"), by way of purchase of shares.²
2. The business activities of the undertakings concerned are:
 - ERG Renew: generation and wholesale supply of electricity from renewable sources, mainly in the wind sector;
 - Lukoil Ecoenergo: active in the renewable energy sector,

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 Publication in the Official Journal of the European Union No C 177, 17/06/2011, p.31

- JV: generation and wholesale supply of electricity from renewable sources in Romania, Bulgaria, Ukraine and Russia.
- 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 139/2004³.
- 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.

For the Commission
(signed)
Alexander ITALIANER
Director General

³ OJ C 56, 5.3.2005, p. 32.