

Case No COMP/M.7014 - MARUBENI/ NPIH

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 24/09/2013

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EUROPEAN COMMISSION

Brussels, 24/09/2013
C(2013)6322

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.7014 - MARUBENI/ NPIH
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 26 August 2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Marubeni Corporation ("Marubeni", Japan) and GDF SUEZ SA ("GDF SUEZ", France) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of National Power International Holding B.V. ("NPIH", The Netherlands) by way of purchase of shares.²
2. The business activities of the undertakings concerned are:
 - Marubeni is a trading company operating on a worldwide basis across many sectors, including the energy and energy related project sectors.
 - GDF SUEZ is an undertaking active in the energy sector both inside and outside the European Union.
 - NPIH is a holding company, which directly or indirectly holds all of GDF SUEZ' interests in the energy sector in Portugal.

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 254, 04.09.2013, p.11.

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 (c) 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.