



EUROPEAN COMMISSION
DG Competition

***Case M.8502 - SOFTBANK /
BHARTI / HON HAI / SB
ENERGY***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 15/06/2017

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EUROPEAN COMMISSION

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PUBLIC VERSION

To the Notifying parties

**Subject: Case M.8502 - SOFTBANK / BHARTI / HON HAI / SB ENERGY
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹ and Article 57 of the Agreement on the European Economic Area²**

Dear Sir or Madam,

1. On 17 May 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which SoftBank Group Corp. (Softbank, Japan), Bharti Overseas Private Limited (Bharti, India) and Hon Hai Precision Industry Co. (Hon Hai, Taiwan) acquire, within the meaning of Article 3(1)(b) of the Merger Regulation, joint control over SB Energy Holdings Limited (SB Energy), currently solely controlled by SoftBank³.

The business activities of the undertakings concerned are:

- SoftBank is an internet company which provides a comprehensive range of telecommunication services and products, primarily in Japan and the USA.;
- Bharti is a holding and investment company. The principal activities of the company include investing and rendering services in telecommunications, hospitality, real estate development and other sectors like infrastructure ventures and web portals, as well as investing in equities, securities and instruments;
- Hon Hai is a provider of third-party electronic manufacturing services to original equipment manufacturers of electronic products such as computers, mobile phones, video game consoles and televisions;
- SB Energy engages in the bidding process for, and the development, construction and operation of, renewable energy (in particular, solar energy) projects in India.

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 169, 30/05/2017, p52.

2. 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 the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴
3. 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.