



EUROPEAN COMMISSION
DG Competition

***Case M.8635 - SOJITZ /
KEPCO/ LURICAWNE /
FIXARRA / EVALAIR /
PLUM***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 25/10/2017

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EUROPEAN COMMISSION

Brussels, 25.10.2017
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PUBLIC VERSION

To the Notifying Parties

**Subject: Case M.8635 - SOJITZ/ KEPCO/ LURICAWNE / FIXARRA / EVALAIR/
PLUM
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 29 September 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Sojitz Corporation ("Sojitz", Japan) and Kansai Electric Power Company Inc. ("KEPCO", Japan) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Evalair and Plum, together with Fixarra and Luricawne. The concentration is accomplished by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - Sojitz: the Sojitz group is a global conglomerate active in a variety of different businesses, primarily in the area of trading of goods and services, including in the energy sector;
 - KEPCO: the KEPCO group is active in various businesses including electric power, gas supply and telecommunications worldwide;
 - Luricawne: Luricawne is owned by HgCapital which is a mid-market private equity firm investing across technology, media, telecommunications, services and industrials, primarily in Northern Europe;

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 339, 10.10.2017, p. 23.

- Fixarra: Fixarra is owned by the Craydel Group which is a multi-disciplinary engineering provider specialising in the development of renewable energy projects;
 - Evalair owns and operates four windfarms in Ireland;
 - Plum owns the Slivecallan West Wind project in Ireland, which is a windfarm currently in development.
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 139/2004.⁴
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.