



EUROPEAN COMMISSION  
DG Competition

***Case M.9566 - CK ASSET / CK HUTCHISON / ALBERTA /  
NORTHUMBRIAN WATER / NORTHUMBRIAN  
SERVICES / WEST GAS / WESTERN GAS / UK RAIL /  
DUTCH ENVIRO***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 18/10/2019

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EUROPEAN COMMISSION

Brussels, 18.10.2019  
C(2019) 7602 final

**PUBLIC VERSION**

**To the notifying parties**

**Subject: Case M.9566 – CK ASSET / CK HUTCHISON / ALBERTA / NORTHUMBRIAN WATER / NORTHUMBRIAN SERVICES / WEST GAS / WESTERN GAS / UK RAIL / DUTCH ENVIRO Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

Dear Sir or Madam,

1. On 26 September 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings CK Asset Holdings Limited (“CKA”, Hong Kong) and CK Hutchison Holdings Limited (“CKHH”, Hong Kong) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the whole of 1822604 Alberta Ltd (Canada), Northumbrian Water Group Limited (UK), Northumbrian Services Limited (UK), West Gas Networks Limited (UK), Western Gas Networks Limited (UK), UK Rails S.à r.l. (UK), and Dutch Enviro Energy Holdings B.V. (the Netherlands), all controlled by CKHH, by way of contract or any other means.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - For CKA: property development and investment, hotel and serviced suite operation, property and project management, investment in infrastructure and utility asset operation and aircraft leasing.
  - For CKHH: ports and related services, retail, infrastructure, energy and telecommunications.
  - For 1822604 Alberta Ltd: off-airport car parking in Canada.

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<sup>1</sup> 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.

<sup>2</sup> OJ L 1, 3.1.1994, p. 3 (the ‘EEA Agreement’).

<sup>3</sup> Publication in the Official Journal of the European Union No C 332, 3.10.2019, p. 20.

- For Northumbrian Water Group Limited and Northumbrian Services Limited: water supply, sewerage and waste water in England and Wales.
  - For West Gas Networks Limited and Western Gas Networks Limited: gas distribution network in Wales and the South West of England.
  - For UK Rails S.à r.l.: the owner of Eversholt Rail Group, a rolling stock owning company in the United Kingdom.
  - For Dutch Enviro Energy Holdings B.V.: supply of energy from waste in the Netherlands.
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.<sup>4</sup>
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)*  
*Cecilio MADERO VILLAREJO*  
*Acting Director-General*

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<sup>4</sup> OJ C 366, 14.12.2013, p. 5.