



EUROPEAN COMMISSION

DG Competition

Case M.10580 - SE AG / SEC / SEPG

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 06/12/2022

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PUBLIC VERSION

Siemens Energy AG
Otto-Hahn-Ring 6
81739 Munich
Germany

Shanghai Electric Group Company,
Ltd.
No.110, Sichuanzhong Road
200336, Huangpu District, Shanghai
People's Republic of China

**Subject: Case M.10580 - SE AG / SEC / SEPG
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 14 November 2022, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which Siemens Energy AG ('SE AG', Germany) and Shanghai Electric Group Company Limited ('SEC', People's Republic of China) will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Shanghai Electric Power Generation Equipment Co. Ltd ('SEPG', People's Republic of China) by way of purchase of shares.³
2. The business activities of the undertakings concerned are the following:
 - SE AG is the ultimate controlling parent of Siemens Energy Group, which develops, manufactures and supplies products, solutions and services across the energy value chain including generation, transmission, and storage, as well as

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 440, 21.11.2022, p. 22.

industrial applications, comprising a broad portfolio from conventional to renewables,

- SEC is active in large energy and industrial equipment manufacturing and integration services, including thermal generator sets, nuclear power units, wind power equipment, power T&D equipment, environmental protection equipment, automation equipment, elevators, rail transit and industrial internet of things solutions,
 - SEPG is a joint venture active in power generation equipment manufacturing, producing mainly large steam turbines for nuclear and fossil/coal-fired power plants in China.
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(a) 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)
Olivier GUERSENT
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.