



EUROPEAN COMMISSION  
DG Competition

***Case M.11103 - PUBLIC POWER CORPORATION /  
ENEL ROMANIA***

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: 22/06/2023

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EUROPEAN COMMISSION

Brussels, 22.6.2023  
C(2023) 4341 final

## **PUBLIC VERSION**

Public Power Corporation S.A.  
Chalkokondyli 30-104  
32 Athens,  
Greece

**Subject: Case M.11103 – PUBLIC POWER CORPORATION / ENEL ROMANIA  
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 31.05.2023, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which Public Power Corporation S.A. ('PPC', Greece) will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole of the operations of Enel S.p.A. ('Enel', Italy) in Romania ('Enel Romania'). Enel Romania consists of the following entities (which are all incorporated in Romania): Enel Romania S.A., E-Distributie Muntenia S.A., Enel Energie Muntenia S.A., E-Distributie Dobrogea S.A., E-Distributie Banat S.A., Enel Energie S.A., Enel Green Power Romania S.R.L., Enel X Romania S.R.L., Enel X Way Romania S.R.L, and their subsidiaries. The concentration is accomplished by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are the following:
  - PPC is active in the generation, supply and distribution of electricity, primarily in Greece,
  - Enel Romania is active in the generation, distribution and supply of electricity in Romania, as well as the supply of natural gas and the provision of related services in Romania.

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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 204, 12.06.2023, p. 43.

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)*  
*Olivier GUERSENT*  
*Director-General*

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