



EUROPEAN COMMISSION
DG Competition

***Case M.11205 - INPEX CORPORATION / ENEL GREEN
POWER / ENEL GREEN POWER AUSTRALIA***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/08/2023

***In electronic form on the EUR-Lex website under
document number 32023M11205***



EUROPEAN COMMISSION

Brussels, 16.8.2023
C(2023) 5661 final

PUBLIC VERSION

INPEX Corporation
100 St Georges Terrace
Perth, WA 6000
Australia

Enel Green Power S.p.A
Viale Regina Margherita 137
00198, Rome
Italy

**Subject: Case M.11205 – INPEX CORPORATION / ENEL GREEN POWER / ENEL GREEN POWER AUSTRALIA
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 24 July 2023, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which the undertakings Enel Green Power S.p.A. (“EGP”, Italy) belonging to the Enel Group (Italy), and INPEX Corporation (“INPEX”, Japan), will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of the undertakings Enel Green Power Australia Pty Ltd (“EGPA”, Australia) and Enel Green Power Australia Trust (“Master Trust”, Australia), by way of purchase of shares.³
2. The business activities of the undertakings concerned are the following:
 - EGP is the renewable arm of the Enel Group, headquartered in Rome, Italy. EGP operates worldwide (directly or through its subsidiaries) in the production and selling of energy from renewable sources,

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 272, 1.8.2023, p. 3.

- INPEX is an exploration and production company, headquartered in Tokyo, Japan. It engages in research, exploration, development, production and sales of oil, natural gas, other mineral resources and other related businesses, and investment and lending to companies engaged in these activities,
 - EGPA and Master Trust engage in investing in renewable energy projects, providing an end-to-end renewables platform that develops and operates projects, and energy retail and trading. EGPA and Master Trust operate only in Australia.
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.