



EUROPEAN COMMISSION

DG Competition

***Case M.11560 - GIP / ORSTED / SOUTHFORK WIND /
REVOLUTION WIND***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 07/06/2024

***In electronic form on the EUR-Lex website under
document number 32024M11560***



EUROPEAN COMMISSION

Brussels, 7.6.2024
C(2024) 3940 final

PUBLIC VERSION

GIP IV Whale Fund Holdings, L.P.
1345 Avenue of the Americas
10105 New York
United States of America

Ørsted A/S
5 Howick Place
SW1P 1WG London
United Kingdom

**Subject: Case M.11560 – GIP / ORSTED / SOUTHFORK WIND /
REVOLUTION WIND
Commission decision pursuant to Article 6(1)(b) of Council Regulation
(EC) No 139/2004 ⁽¹⁾ and Article 57 of the Agreement on the European
Economic Area ⁽²⁾**

Dear Sir or Madam,

- (1) On 13 May 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which GIP IV Whale Fund Holdings, L.P. ('GIP', United States), and Orsted A/S ('Orsted' Denmark), will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of South Fork Wind, LLC ('South Fork Wind', United States) and Revolution Wind, LLC ('Revolution Wind', United States) by way of purchase of shares.⁽³⁾
- (2) The business activities of the undertakings concerned are the following:
- GIP is a global infrastructure fund primarily focused on investing in transportation, energy, waste, water, and digital infrastructure sectors,
 - Orsted is a multinational energy company, primarily engaged in the development, construction and operation of offshore wind farms across Europe, the Americas and Asia-Pacific.

⁽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⁾ OJ C, C/2024/3368, 24.05.2024.

- South Fork Wind and Revolution Wind are two offshore wind projects under development, located in the United States, which will exclusively serve customers in North America.
- (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 treatment for certain concentrations under Council Regulation (EC) No 139/2004. ⁽⁴⁾
- (4) For the reasons set out in the Notice on a simplified treatment, 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 160, 5.5.2023, p. 1 (the ‘Notice on a simplified treatment’).