



EUROPEAN COMMISSION
DG Competition

Case M.11500 - RENAULT / PLUG POWER / HYVIA

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 12/07/2024

***In electronic form on the EUR-Lex website under
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EUROPEAN COMMISSION

Brussels, 12.7.2024
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PUBLIC VERSION

Renault SAS
122/122 bis Avenue du Général Le-
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92100 Boulogne-Billancourt
FRANCE

Plug Power France SAS
109 boulevard Péreire
75017 Paris
FRANCE

**Subject: Case M.11500 – RENAULT / PLUG POWER / HYVIA
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 20 June 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of the Merger Regulation, by which Renault SAS (“Renault”, France), controlled by Renault S.A. (France) and Plug Power France (“Plug Power”, France), controlled by Plug Power Inc. (United States), will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the undertaking of HyVia (France) by way of purchase of shares. ⁽³⁾
- (2) The business activities of the undertakings concerned are the following:
- Renault manufactures and sells automobile vehicles, including passenger cars and light commercial vehicles (“LCVs”),
 - Plug Power develops, produces, and sells hydrogen, electrolysers, and fuel cell systems for industrial and mobility applications.

⁽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/2024/4141, 27.6.2024.

- (3) HyVia is active in the manufacture and supply of fuel cell LCVs and in the supply of hydrogen refuelling stations.
- (4) After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of point 8 of the Commission Notice on a simplified treatment for certain concentrations under Council Regulation (EC) No 139/2004. ⁽⁴⁾
- (5) 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').