

Prior notification of a concentration**(Case M.10729 – FOWI / MOL / TOHO / HOKURIKU / ORSTED / JERA / SWANCOR)****Candidate case for simplified procedure****(Text with EEA relevance)**

(2022/C 218/11)

1. On 20 May 2022, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- Mitsui O.S.K. Lines, Ltd. ('MOL', Japan),
- Toho Gas Co., Ltd. ('Toho', Japan),
- Hokuriku Electric Power Company ('Hokuriku', Japan),
- Orsted InvestCo Ltd. ('Orsted', Taiwan), belonging to Ørsted A/S (Denmark),
- JERA Power International B.V. ('JERA', Japan), belonging to JERA Co. Inc. (Japan),
- Swancor Holding Co. Ltd. ('Swancor', Taiwan),
- Formosa I International Investment Co., Ltd. ('FOWI', Taiwan).

MOL, Toho, Hokuriku, Orsted, JERA and Swancor will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of FOWI.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

- MOL is a transport company active in shipping, dry bulk business, energy and offshore business, product transport business and associated businesses,
- Toho is a gas company active in heat supply business, electricity business, sales of gas equipment and facilities, and gas piping installation,
- Hokuriku supplies electricity through integrated power generation, transmission and distribution systems,
- Orsted is active in the development, construction and operation of offshore wind farms, bioenergy plants and innovative waste-to-energy solutions and smart energy products. It also procures, produces, distributes and trades energy and related products in Europe and the US;
- JERA is active in upstream fuel investment, fuel procurement, trading, and transport activities. It is also engaged in the development and operation of power generation plants,
- Swancor is a producer and distributor of specialty chemical materials, including anticorrosion resins for use in tanks and pipelines in various industries, chimneys for power plants and epoxy system resins for wind turbine blades.

3. FOWI operates an offshore wind farm in Taiwan.

4. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

5. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.10729 – FOWI / MOL / TOHO / HOKURIKU / ORSTED / JERA / SWANCOR

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

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