

23 August 2021

## Luther advises E.ON, EDF, IPP and EARH on investment in Hypion GmbH

**Brussels/Quickborn/Heide – HanseWerk AG, a member of the E.ON Group and one of the largest energy service providers in Northern Germany, is investing in the hydrogen start-up Hypion GmbH. Luther advised HanseWerk AG, EDF Deutschland GmbH, IPP Projects GmbH and Entwicklungsagentur Region Heide on the antitrust aspects of the transaction. The European Commission has given the green light.**

Hypion GmbH started operations in 2019 and is considered a pioneer in the development of an integrated green hydrogen economy. Based in Heide, Germany, the company develops projects across the entire value chain, from the production and distribution of green hydrogen to the operation of filling stations and storage facilities. Green hydrogen is replacing fossil energy sources and fuels currently used in the transport sector and in many – particularly energy-intensive – industries. This “sector coupling” is a key concept for managing the energy transition.

The transaction had to be cleared in a merger control procedure before the European Commission. Luther provided comprehensive antitrust advice to HanseWerk AG and the further parties involved. The European Commission cleared the acquisition at the end of the phase I investigation.

### **About HanseWerk AG**

HanseWerk AG operates energy networks supplying electricity, gas and heat and offers energy solutions with a focus on network operation and decentralised energy generation in Northern Germany. It is one of the largest energy companies in the north and belongs to the E.ON Group.

<https://www.hansewerk.com/de.html>

### **About IPP Projects GmbH**

IPP Projects GmbH is a member of the IPP group of companies, which, as a nationally and internationally active general planner, provides comprehensive engineering services in all areas of civil engineering, process engineering and the energy industry.

As a general planner, IPP carries out the entire, interdisciplinary planning process with a team of about 200 highly qualified engineers and technicians. In addition to the planning as such, the services regarding planning a project up to the intended operation also include supervising the construction work and the entire construction controlling.

### **About Entwicklungsagentur Region Heide**

With inter-communal business development, project development and regional management as its focus areas, Entwicklungsagentur Region Heide AöR has established itself as a cross-sector interface for innovative energy transition projects since its foundation in 2013. The successful initiation of nationally and/or EU-funded projects, such as the WESTKÜSTE100 real-world laboratory and the HySCALE100 project, underscores the dynamic developments in the "Heide energy region" and beyond. Entwicklungsagentur Region Heide links topics and actors of the energy transition on multiple levels in order to advance sustainable and profitable regional development. Hypion GmbH, founded in 2018, is an important building block in this regard

### **Advisors:**

Luther, Antitrust Law: Dr Helmut Janssen, LL.M. (Partner), Dr Daniela Salm (Counsel), Lukas Kienzle, LL.M. (Senior Associate)

In-house: Dr Axel Kroll (E.ON SE, Competition and Antitrust Law), Laurent Binet (EDF S.A. Legal Affairs, Competition Law), Blandine Sallault Bacquer (EDF S.A. Competition Law)

### Entire transaction:

Dr Kirsten Hartmann (HanseWerk AG, Head of Legal), Daniel Dupoy and Stephane Schwarz (EDF S.A.), Christian Güthert (EDF Deutschland GmbH), Martin Koselowske and Harro Possel (IPP Projects GmbH, Managing Directors), Christian Wiegert (on behalf of IPP Projects GmbH, lawyer and notary)

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**Brief profile Luther Rechtsanwaltsgesellschaft mbH**

Luther is a leading German commercial law firm that offers comprehensive legal and tax advice. The full-service law firm employs over 420 lawyers and tax advisors and is represented in ten German economic hubs as well as with ten of its own international offices in key investment locations and financial centres in Europe and Asia. Its clients include medium-sized enterprises and large corporations, as well as the public sector.

Luther works closely with other commercial law firms in all the prevailing jurisdictions. Luther is a founding member of unyer ([www.unyer.com](http://www.unyer.com)), a global organisation of leading professional services firms that cooperate exclusively with each other.

Luther Rechtsanwaltsgesellschaft mbH is a law firm with a business approach: our innovative awareness aspires us to provide our clients with customised legal advice that addresses individual needs and delivers the greatest possible economic benefit. All of Luther's lawyers and tax advisors have a solid understanding of interdisciplinary matters and a wealth of experience in collaborating on complex tasks. Luther was named "Law Firm of the Year 2019" by the German legal publisher JUVE. Further information is available at: [www.luther-lawfirm.com](http://www.luther-lawfirm.com)

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