

DETERMINATION OF MERGER NOTIFICATION M/26/063– ESB/SUPERHOMES

Section 21 of the Competition Act 2002

Proposed acquisition by the Electrical Supply Board of sole control of Superhomes Ireland DAC

Dated 29 September 2026

Introduction

1. On 14 September 2026, in accordance with section 18(1)(a) of the Competition Act 2002, as amended (the “Act”), the Competition and Consumer Protection Commission (the “Commission”) received a notification of a proposed acquisition whereby the Electrical Supply Board (“ESB”), through ESB Financial Enterprises Limited, would acquire sole control of the remaining 50% of the issued share capital of Superhomes Ireland DAC (“Superhomes”) (the “Proposed Transaction”).¹

The Proposed Transaction

2. The Proposed Transaction is to be implemented pursuant to a Share Purpose Agreement pursuant to which ESB will acquire 100% of the issued share capital of Superhomes from Tipperary Energy Agency CLG (“the SPA”).
3. The business activities of the undertakings involved are:

¹ ESB and Superhomes are collectively referred to as the “Parties” hereafter.

ESB

- ESB is a vertically integrated utility, majority owned by the Government of Ireland through the Minister for Public Expenditure and Reform,² and the Minister for Communications, Climate Action and Environment.³
- ESB is active at all levels of the energy sector, including generation, transmission, distribution⁴ and wholesale supply of electricity, the retail supply of electricity to end-users⁵ and the provision of energy efficiency and decarbonisation solutions.⁶

Superhomes

- Superhomes is a joint venture between ESB and Tipperary Energy Agency with each currently holding 50% of the issued share capital of Superhomes. Tipperary Energy Agency is a non-for-profit company operating as a social enterprise which aims to deliver Ireland's energy transition through innovation and project delivery, as part of Ireland's Climate Action Plan.
 - Superhomes is active in the provision of home retrofit services through the project management of the different stages of home retrofit services, including design, project completion and grant funding. Within home retrofit services, Superhomes is primarily active in deep retrofit energy efficiency services, and minimally active in single measures energy efficiency services.
4. After examination of the notification, the Commission has concluded that the Proposed Transaction falls within the scope of paragraph 2.1 of the Simplified Merger Notification Procedure Guidelines for assessing certain notifiable mergers or acquisitions under section 18 of the Act since:

² The Minister for Public Expenditure and Reform holds approximately 87% of its issued capital stock.

³ The Minister for Communications, Climate Action and Environment holds approximately 10.2% of its issued capital stock.

⁴ In the State, ESB is the owner of the electricity and distribution system, holding the distribution and transmission licences through its subsidiary ESB Networks DAC.

⁵ In the State, ESB is active in the retail supply of electricity, gas and energy services under the trade name Electric Ireland.

⁶ For completeness, ESB owns and operates the public electric car charging infrastructure through ESB ecars.



- (i) An undertaking involved, which already has joint control over a company, is to acquire sole control over that company; and
- (ii) None of the exclusions stipulated in paragraphs 2.8 to 2.15 of the SMNG apply to the undertakings or the markets in which the undertakings operate.

Ancillary Restraints

5. No ancillary restraints were notified



Determination

The Competition and Consumer Protection Commission, in accordance with section 21(2)(a) of the Competition Act 2002, as amended, has determined that, in its opinion, the result of the proposed acquisition whereby ESB, through ESB Financial Enterprises Limited, would acquire the entire issued share capital, and thus sole control of Superhomes, will not be to substantially lessen competition in any market for goods or services in the State, and, accordingly, that the acquisition may be put into effect.

For the Competition and Consumer Protection Commission

Alan Scarlett

Director

Mergers Division

Competition and Consumer Protection Commission