

***Case No COMP/M.2328 -
SHELL / BEACON / 3i /
TWISTER***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 19/04/2001

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19.04.2001
SG (2001) D/287951 -953

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Sirs/Madam,

Subject: Case No. COMP/M.2328 - SHELL / BEACON / 3I / TWISTER

Notification of 15.03.2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹

Publication in the Official Journal of the European Communities No. C 091, 22.03.2001, page 6.

1. On 15.03.2001, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89² by which the undertakings Beacon-STIP LLC, (USA), controlled by The Beacon Group Energy Investment Fund II ("Beacon"), B.V. Dordtsche Petroleum Maatschappij (NL), a holding company within the Royal Dutch/Shell group of companies ("Shell") and 3i Group plc ("3i", UK) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of a company to be named Twister B.V. ("Twister"), currently operating under the sole control of Shell.

¹ OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

² OJ L 395, 30.12.1989 p. 1; corrigendum OJ L 257 of 21.9.1990, p. 13; Regulation as last amended by Regulation (EC) No 1310/97 (OJ L 180, 9. 7. 1997, p. 1, corrigendum OJ L 40, 13.2.1998, p. 17).

2. The business activities of the undertakings concerned are:

Beacon is an investment company focused on investing in the energy industry.

Shell is engaged in the exploration for and production of oil and natural gas.

3i is a venture capital company.

Twister B.V. ("Twister") will be involved in the development, manufacture and sale of natural gas processing solutions (mainly for dehydration and hydrocarbon and water dewpointing). This includes technology research and development, product development; feasibility studies, engineering, project management, installation, operation and financial services in respect of natural gas processing solutions; and servicing of the after market.

3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph a, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89³.
4. To the extent that restrictions specified by the parties are directly related and necessary to the implementation of the concentration, these restrictions are covered pursuant to Article 6(1)(b), second subparagraph, of Council Regulation (EEC) No. 4064/89.
5. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EEC) No. 4064/89.

For the Commission,

Romano PRODI
President

³ OJ C 217, 29.07.2000, p. 32.