

***Case No COMP/M.6420 - DONG  
ENERGY/ SHELL GAS DIRECT***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 01/12/2011

***In electronic form on the EUR-Lex website under document  
number 32011M6420***



EUROPEAN COMMISSION

Brussels, 01/12/2011  
C(2011) 9091

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying party**

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.6420 - DONG ENERGY/ SHELL GAS DIRECT  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No  
139/2004<sup>1</sup>**

1. On 04/11/2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which <sup>2</sup> DONG Energy A/S ("DONG", Denmark), through its wholly owned subsidiary DONG Energy Sales UK Limited, acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Shell Gas Direct Limited ("Shell Gas", UK) by way of a purchase of shares.

The business activities of the undertakings concerned are:

- for DONG: is an integrated energy group active in oil and gas exploration and production, electricity generation and distribution, wholesale and retail supply of natural gas and electricity in Denmark and Northern Europe;

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<sup>1</sup> 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.

<sup>2</sup> Publication in the Official Journal of the European Union No C 328, 11/11/2011, p. 10.

- for Shell Gas: is active in the supply of gas to non-domestic customers in the UK, providing gas to businesses.
2. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>3</sup>.
  3. For the reasons set out in the Notice on a simplified procedure, 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.

*For the Commission*  
*(signed)*  
*Alexander ITALIANER*  
*Director General*

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<sup>3</sup> OJ C 56, 5.3.2005, p. 32.