

***Case No COMP/M.6897 – SHELL/ REPSOL (MAJOR
PART OF LNG BUSINESS)***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 02/07/2013

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EUROPEAN COMMISSION

Brussels, 2.7.2013
C(2013) 4264 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party

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

**Subject: Case No COMP/M.6897 - SHELL/ REPSOL (MAJOR PART OF LNG BUSINESS)
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 31.05.2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Shell Gas B.V. (the Netherlands) and Shell España S.A. (Spain), ultimately controlled by Royal Dutch Shell plc ("Shell", the Netherlands), acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over a significant part of the liquefied natural gas ("LNG") business division (the "Target") of Repsol S.A. (Spain) and Repsol Exploración S.A. (Spain), a wholly-controlled RSA subsidiary, by way of a purchase of shares².
2. The business activities of the undertakings concerned are:
 - for Shell: active worldwide in oil and gas exploration and production, production and marketing of liquefied natural gas, manufacturing, marketing and shipping of oil products and chemicals, and renewable energy projects;

¹ 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.

² Publication in the Official Journal of the European Union No C 160, 6.6.2013, p.6

- for the Target: active worldwide in the production and in the wholesale supply of LNG; active in Spain in the electricity generation.
3. 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 139/2004³.
 4. 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

³ OJ C 56, 5.3.2005, p. 32.