



EUROPEAN COMMISSION  
DG Competition

***Case M.8775 - SHELL /  
IMPELLO***

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: 15/02/2018

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EUROPEAN COMMISSION

Brussels, 15.2.2018  
C(2018) 1059 final

PUBLIC VERSION

**To the notifying party:**

**Subject: Case M.8775 - SHELL / IMPELLO  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

Dear Sir or Madam,

1. On 22 January 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which The Shell Petroleum Company Limited, controlled by Royal Dutch Shell plc. ("Shell", United Kingdom), acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Impello Limited ("Impello", United Kingdom) by way of a purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for Shell : global group of energy and petrochemical companies with activities in oil and gas exploration, production, manufacturing, marketing and shipping of oil products and chemicals, and renewable energy products. Shell is also active in the trading and wholesale supply of electricity and gas, including in the UK and Germany.
  - for Impello : independent energy supplier to household customers in the UK and Germany (known as First Utility).

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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> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 34, 31.1.2018, p. 50.

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 139/2004.<sup>4</sup>
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 and Article 57 of the EEA Agreement.

*For the Commission*

*(Signed)*

*Johannes LAITENBERGER*

*Director-General*

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<sup>4</sup> OJ C 366, 14.12.2013, p. 5.