V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.10566 – P66/H2 EE/JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2022/C 83/02)

1. On 10 February 2022, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— Phillips 66 Company ('P66', United States),

— H2 Energy Europe AG ('H2 EE', Switzerland),

— A greenfield joint venture ('NewCo', Austria).

P66 and H2 EE will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of NewCo.

The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

— P66 is an energy company, which amongst others runs fuel stations,

— H2 EE is active in hydrogen technology and the development of ecosystems for renewable hydrogen,

— NewCo and its subsidiaries will be active in the development and operation of hydrogen refueling stations (HRS) in Austria, Denmark and Germany.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 ([2]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.10566 – P66/H2 EE/JV

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË