EUROPEAN COMMISSION

Brussels, 19.3.2020
C(2020) 1856 final

PUBLIC VERSION

To the notifying party

Subject: **Case M.9749 – GLENCORE ENERGY UK / ORSTED LNG BUSINESS**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]

Dear Sir or Madam,

1. On 25 February 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Glencore Energy UK Ltd, controlled by Glencore plc ("Glencore", Switzerland) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Ørsted's LNG Business, controlled by Ørsted A/S ("Ørsted", Denmark), by way of purchase of assets.[3]

2. The business activities of the undertakings concerned are:

   – for Glencore: it is a large global diversified natural resource company and a major producer and marketer of several commodities,

   – for Ørsted's LNG Business: it comprises contractual arrangements for liquefied natural gas ("LNG") storage, re-gasification capacity and transmission services at the Gate Terminal in the Netherlands and a number of LNG sale and purchase agreements.

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.[4]

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

3 Publication in the Official Journal of the European Union No C 072, 5.3.2020, p. 8.

4 OJ C 366, 14.12.2013, p. 5.

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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)
Olivier GUERSENT
Director-General