PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.10089 — Phillips 66/Fortress Investment Group/Pester Marketing)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 424/07)

1. On 1 December 2020, 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 ('Phillips 66', USA),

— Fortress Investment Group LLC ('Fortress', USA), controlled by SoftBank Group Corp. ('SoftBank', Japan),

— Pester Marketing gas station and convenience store business ('Pester Marketing', USA).

Phillips 66 and Fortress indirectly acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Pester Marketing.

The concentration is accomplished by way of purchase of assets.

2. The business activities of the undertakings concerned are:

— for Phillips 66: processing, transporting, storing and marketing fuels and products globally through a portfolio of integrated midstream, chemicals, refining and marketing businesses,

— for Fortress: global investment and asset management,

— for Pester Marketing: owning and operating service stations selling motor fuel and daily consumer goods in the Rocky Mountain, Southwest and Mid-West regions of the USA.

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 the 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.

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

M.10089 — Phillips 66/Fortress Investment Group/Pester Marketing

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

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

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