

ceg

COMPETITION
DISPUTES
REGULATION

Asia-Pacific | Europe | North America

Telecommunications and Media



CEG experts provide advice to some of the world's leading telecoms and media companies

Communications markets lie at the heart of the modern economy and impact many aspects of consumers' daily lives. The importance of the sector to national economies creates significant public interest in the development and functioning of telecoms and media markets.

The marketplace is changing fast, with technology shifts and convergence reshaping communication services and the wider digital ecosystem, the types of competition issues which arise in the sector and the ways in which governments and regulators interact with market players.

CEG experts provide advice to some of the world's leading telecoms and media companies, their legal advisers, and regulators. CEG's economists are sector experts – with detailed knowledge of the communications markets and

regulatory arrangements across the jurisdictions in which we work. We use this expertise to assist our clients to meet the challenges posed by this dynamic and at times unpredictable environment, providing support and advice on competition and regulatory issues as well as spectrum policy and licensing, disputes and state aid.

CEG brings together experienced economists from competition and regulatory agencies, industry and academia. We rigorously apply economic theory and quantitative techniques to offer insightful and dependable advice. This helps ensure that our advice ultimately reflects both the theoretical and practical issues that need to be balanced to provide effective competition and regulatory advice.

Competition

CEG economists have substantial experience of competition policy proceedings in telecoms and media markets. We apply economic theory and empirical techniques to define relevant markets, assess whether firms have substantial market power, whether competition is being harmed, quantify expected efficiencies and whether State aid constitutes a distortion of competition.

We have provided economic analysis that has been critical to the review of some of Europe's highest profile telecoms merger cases, and have worked on leading Article 101 and 102 cases before the European Commission, national regulators and courts. We have also advised on other investigations brought by the EC across communication sectors.

REPRESENTATIVE ENGAGEMENTS

- The European Commission Article 101 case against CISAC collecting societies (for RTL)
- Advice to the Australian Competition & Consumer Commission in relation to Foxtel's acquisition of Austar and an acquisition of equity in Channel 10
- Report for the GSMA on resetting Competition Policy for the Digital Ecosystem
- Advice to QVC on the management of the Digital Terrestrial Television Platform in the UK and the impact on competing channels performance
- Advice to the joint venture between Telecom Italia and TNET on State aid matters
- Advice to AGCOM in revising their margin squeeze guidelines
- T-Mobile UK's network sharing agreement with H3G (for T-Mobile UK)
- A margin squeeze and discriminatory pricing case involving Czech Telecom's fixed services (for Tele2)
- The European Commission Phase II investigation of the T-Mobile / Tele.ring merger (for T-Mobile)
- Advice to a third party in relation to Vodafone / Liberty Global joint venture (Netherlands)
- Analysis of KPN's takeover of Reggefiber for Vodafone (Netherlands)
- Advice to a fixed incumbent operator regarding potential State aid in relation to ultra-fast broadband investment
- Support for Murata in clearing its acquisition of Sony's battery business before Chinese Ministry of Commerce

Disputes

CEG has been in the forefront of economic consultancies advising on high profile disputes including private actions against those in breach of competition law in Europe, intellectual property, equity and commercial damages.

CEG assesses both the question of liability as well as estimating the quantum of damages incurred.

Our experts have presented analysis before competition authorities, arbitration tribunals and courts.

REPRESENTATIVE ENGAGEMENTS

- Advice to Vivendi in relation to a 5.4 billion euros damages claim by Deutsche Telekom before the Austrian International Court of Arbitration concerning ownership of a Polish mobile operator. Vivendi received 1.2 billion euros
- Expert report for Hong Kong Telecom on a potential judicial review in relation to a spectrum licensing decision
- Liability and estimation of damages in a margin squeeze case brought by Tele2 against Cesky Telekom before Czech national courts (for defendant)
- Advice to Telecom New Zealand in an arbitration on an alleged breach of competition in the broadband market
- The determination of lost profits and reasonable royalties in a series of six high-stakes patent infringement cases between Broadcom Corporation and Qualcomm
- Sonera Holding B.V v. Çukurova Holding A.S. and Çukurova Investments
- A market assessment of the Italian broadcasting sector as input to a loss of profits dispute
- Expert report and testimony in two arbitrations between mobile telephony operators in Europe
- Expert report and testimony in Scandinavian arbitration involving a European telecom equipment operator and a US supplier
- Advice to Sky in a case before the Milan Tribunal
- Advice to BT at the Competition Appeal Tribunal

Regulation

CEG economists have extensive experience in helping firms formulate and present economic arguments and evidence during court and tribunal hearings, market investigations, public consultations and other regulatory proceedings that affect telecoms and media companies across the globe.

Our expertise spans a range of regulatory matters including access arrangements, regulatory design and reform, market analysis, price setting including LRIC modelling and cost of capital estimation, structural separation, network sharing and access to content.

REPRESENTATIVE ENGAGEMENTS

- Advice to eir on ComReg's wholesale access services markets review for copper and fibre services
- Advice to Ofcom on the empirical evidence on the impact of wholesale interconnection rates on retail mobile communications prices and take-up
- Market reviews under the European Regulatory Framework for Electronic Communications including for broadband, fixed services, and mobile termination (for various European operators)
- Advice to EE in relation to appeals relating to local loop unbundling, wholesale line rental and mobile termination before the UK Competition Appeals tribunal and Competition Commission
- Advice to Australia's National Broadband Network on the preparation of a price undertaking for fibre services
- Reports for the GSMA on a range of regulatory issues including best practice in licensing, IP interconnection, regulation of roaming services and termination rates, the European Commission's online content initiative, the Internet of things and liberalisation of international gateway services
- Advice to Chorus New Zealand on a range of issues relating to price regulation of local loop and broadband access services including benchmarking regulated prices
- Advice to the Nigerian Communications Commission on a market review and cost modelling of leased lines

Auctions

CEG's auction practice has advised clients in all stages of auction preparation and bidder participation. We have an unrivalled understanding of the theoretical properties of complex auction mechanisms combined with extensive real regulatory and business experience in implementing auctions in specific markets and actual auction participation.

The stakes are often high in markets where auctions are held. Success requires the ability to understand the multifaceted interplay of auction rules and design with regulatory goals and procedures, auction participants' strategy, corporate governance and risk management.

We assist our clients by customising our approach from auction design to its implementation. We rely, whenever needed, on ad hoc software tools built

by our simulation and auction experts, in the safe knowledge that tools are not a replacement but a compliment to strategic thinking.

REPRESENTATIVE ENGAGEMENTS

- Advice to Deutsche Telekom in the 700 MHz Auction
- Bidding strategy advice and regulatory support to participants in the Czech Republic, the Netherlands and Romania 4G Multiband Auctions
- Advice to bidders in the 2.6GHz spectrum auctions in Austria, the Czech Republic and the Netherlands
- Advice to EE on the successful appeal of Ofcom's decision to increase annual spectrum licence fees
- A report for the GSMA on international best practice in relation to spectrum licence renewal
- Appointment by the Dutch parliament of Professor Janssen to lead an expert group in examining the first Dutch 3G auction
- Advice to Digital UK on Ofcom's cost benefit analysis of changing the use of the 700 MHz band including an assessment of the application of the Spackman approach to the discount rate and review of Ofcom's cost model
- Advice on issues in pricing broadcasting spectrum on behalf of an industry association
- Advice to a European telecoms operator on impact analysis of frequency auction design on competition in mobile telephony market

CEG brings together experts in the leading competition and regulatory agencies, academia and industry

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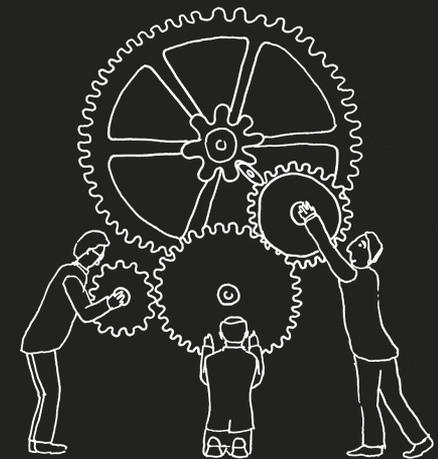
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