

BT Group/EE

CMA staff disclosure – Dr Mike Walker

The Competition and Markets Authority (CMA) is assembling its team to advise on the proposed acquisition by BT Group of EE (together, the Parties) (the Proposed Transaction).

It is intended that Dr Mike Walker, the Chief Economist of the CMA, will oversee the provision of economic advice in relation to any assessment of the Proposed Transaction by the CMA under Part 3 of the Enterprise Act 2002. Dr Walker will not be a decision maker, or have a day-to-day role on the case, but will have general responsibility for overseeing the work of the economics team and may therefore have some material input on the case.

Dr Walker has no financial interest in any companies in the telecommunications sector (including in relation to the Parties). He does have considerable experience of the sector. Prior to joining the shadow CMA in October 2013, Dr Walker acted as an external economic adviser to a number of electronic communications companies in the period 2000-2013 including, at different times, both BT and EE, and their competitors.

In the last five years, this has involved advising:

- (a) BT in relation to two alleged margin squeeze cases, one in wholesale broadband and one in wholesale fibre;
- (b) EE in relation to the 2010 mobile termination price control investigation;
- (c) EE, Vodafone and O2 in three cases adverse to BT concerning “ladder pricing”; and
- (d) the Number (118 118) adverse to the mobile companies.

The CMA does not consider that the matters mentioned above would prevent Dr Walker advising, or the CMA performing its functions, in an impartial or independent manner with regard to the Proposed Transaction.

However, the CMA is concerned to avoid any perception of bias arising in relation to its assessment of this case. Therefore, if any person with an interest in the Proposed

Transaction wishes to make any representations to the CMA objecting to Dr Walker advising on this case, these should be submitted to Ronan Scanlan, the Principal Case Officer on this case, by 27 March 2015.