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EDUCATION

1997, *PhD in Economics*, Universidad Complutense, Madrid, Spain
1994, *MA in Economics*, Centro de Estudios Monetarios y Financieros, Madrid, Spain
1992, *BA in Economics*, Universidad Complutense, Madrid, Spain

PROFESSIONAL EXPERIENCE

2013 - Present, *Executive Vice President*, Compass Lexecon, Madrid
2012 - 2013, *Senior Vice President*, Compass Lexecon, Madrid
2011 - 2012, *Director*, Compass Lexecon, Madrid
2007 - 2011, *Director*, LECG, Madrid
2005 - 2007, *Principal*, LECG, Madrid
2004 - 2005, *Senior Managing Consultant*, LECG, Madrid
2000 - 2004, *Senior Consultant*, NERA
1997 - 2000, *Assistant Professor in Finance*, Universidad Carlos III, Madrid
1996, *Visiting PhD Student*, London Business School, London
1995, *Teaching Assistant*, Centro de Estudios Monetarios y Financieros, Madrid, Spain

PROFESSIONAL RECOGNITIONS

- Competition Economists – Recommended Leader, recognition by Who's Who Legal in 2023, 2022.
- Arbitration Expert Witnesses – Recommended Leader, recognition by Who's Who Legal in 2024, 2023, 2022, 2021, 2020, 2019, 2018.
- Financial Advisory and Valuation - Quantum of Damages, recognition by Who's Who Legal in 2023.

SELECTED CONSULTING EXPERIENCE

Damages

I have given expert testimony in damages cases before the ICSID, the Madrid Court of Arbitration, and the Spanish Courts:

- Motor vehicles market Spain – damage litigation (2022-ongoing)
Economic advice to one of the car manufacturers on potential follow-on cartel damage claims in relation to the 2015 CNMC decision on information exchanges in the distribution and marketing of motor vehicles market in Spain.
- Damages Euro Interest Rate derivatives (2022-ongoing)
Economic support to a financial institution in the context of a damages claim. The claimant argued that it suffered damages derived from the infringement fined by the European Commission related to Euro Interest Rate Derivatives (case AT.39914).
- Fuel distribution market - damages claim (2019-ongoing)
Expert economic advice to a client which was fined as a result of anti-competitive practices (alleged retail price maintenance) in the fuel distribution market. We made an assessment of the potential damages claims to which our client was subject, and we provided a critical assessment of a claimants' expert reports.

- Heavy truck manufacturers – damage litigation (2016-ongoing)
Economic advice in follow-on damages litigation in the context of the European Commission's infringement decision by heavy truck manufacturers (from July 2016). We provided support by calculating damages for one of the truck manufacturers in Spain, acting as a defendant in several hundred damage actions. We used various empirical techniques to estimate the counterfactual (before-and-after analysis, regression analysis). I have provided expert testimony before the Spanish Courts in many of the hearings.
- Breach of contract wind farm Spain (2022)
Economic advice in a damage calculation due to an alleged breach of contract for the construction of a wind farm in Spain.
- Breach of contract online gambling (2021)
Economic assessment in a claim for damages related to an alleged breach of contract in the online gambling industry.
- Impact on and damage assessment for private hire vehicles following regulatory changes (2019-2021)
Economic assessment of the return on investment of certain VTC operators (private hire vehicles with drivers) as a result of the regulatory change promoted by the Spanish Government. In a subsequent stage, we quantified alleged damages resulting from the inability to use some licenses for urban car transportation.
- Private copying exception (2015)
Economic advice to several Spanish collecting societies to estimate the alleged damages related to private copying of protected works (musical, audiovisual, books) in Spain from 2012 to 2015. The damages were incurred by intellectual property holders due to a Law that allows individuals to make copies for their individual use. We quantified the economic effect of the copyright limitation by e.g. time series econometric modelling techniques. Our report was submitted in several legal procedures.
- TV distribution Spain (2014)
Critical assessment of two expert reports in a damages claim, involving an alleged abuse of dominant position in the distribution of television content.
- Postal industry Spain (2013)
Economic assessment of an expert report related to alleged damages in the postal industry in Spain. The claimed damages were derived from an alleged abuse of dominant position (predatory pricing).
- Solar power plants (2013)
Quantification of damages suffered by a Japanese company with investments in concentrated solar power (CSP) plants in Spain as a result of the regulatory measures introduced by the Kingdom of Spain in 2013.
- Music industry (2012)
Assessment of damages derived from a breach of contract between an artist and a music industry producer.
- Distribution of insurance products (2011)
We have provided a Spanish bank with an economic assessment in an arbitration process. We have assessed damages derived from an alleged breach of contract in relation to the distribution of insurance products.
- Puma (2011)
We advised Puma AG in the context of arbitration proceedings related to the termination of a distribution agreement. Our work involved a critical assessment of an expert report presented by the plaintiffs. In particular, we analysed the quantification of the damages and whether the distributor satisfied the conditions established in the Spanish Agency Law to merit compensation. During the proceedings we submitted two reports.
- Telefonica de España (2011)
In 1997, the Spanish National competition authority imposed a €4.5 million fine on the Spanish incumbent telecom operator, Telefónica, for an abuse of its dominant position in the Spanish mobile telephony market. According to the CNC, Telefónica signed exclusive distribution agreements to delay the entry of competitors in the market. In 2009, Vodafone España (formerly, Airtel Móvil) claimed compensation from Telefónica for lost profits. We were retained by Telefónica to assess an expert report on the quantification of the alleged damages.



We demonstrated that the available evidence did not allow a conclusion that the alleged abuse of dominant position had an effect on Telefonica's competitors and, therefore, that Vodafone did not suffer any damage. Compass Lexecon's experts testified before the Spanish Court of First Instance. In April 2011, the Court rejected the claim for damages.

Mergers and Acquisitions

- T-Mobile NL/Tele2 (2018)
Economic advice in relation to the proposed acquisition by T-Mobile NL, the third largest mobile network operator in the Netherlands, of its smaller competitor, Tele2 NL. We developed and presented to the EC a series of economic analyses to assess the likelihood of unilateral effects in the mobile retail market and merger-specific efficiencies. Among other things, we prepared a merger simulation analysis which took into account the competitive interaction between mobile tariffs and bundled products, as well as the cost and quality efficiencies generated by the transaction. The European Commission unconditionally cleared the acquisition in November 2018.
- Hutchison 3G Italy/Wind (2016).
Economic advice in connection with the proposed merger between Hutchison Whampoa and VimpelCom, which planned to combine their assets in Italy through their subsidiaries H3G and WIND. In particular, we modelled the efficiencies of the transaction using a merger simulation and choice modelling techniques. The European Commission approved the merger in the telecoms sector following a second-stage investigation in September 2016, conditional on the sale of assets that would allow a new entrant to enter the market.
- Appeal of Telefonica/DTS (2016, telecommunications)
Economic assessment of Telefonica's commitments imposed as a condition for the cleared Telefonica/DTS merger, in context of Vodafone's appeal of the transaction.
- Telefonica/Canal Plus Spain (2015, telecommunications)
Economic assessment of Telefonica's acquisition of pay-TV company Canal Plus Spain. Subsequent advice to Telefónica in the context of the review of the Decision before the higher courts.
- TomTom/TeleAtlas (2008)
Economic assessment of the potential competitive impact of the vertical merger. Quantification of the efficiencies that would result from the transaction using merger simulation techniques.
- Euronext/LSE (2006)
Economic advice regarding the competitive effects of the proposed acquisition. Quantification of the efficiency gains from the integration of stock exchanges.
- Phillip Morris/Papastratos (2003)
Evaluation of the impact of a merger in the tobacco industry using standard merger simulation tools and estimating a structural demand system.
- Analysis of the impact of a proposed merger in the book publishing industry using econometric techniques (discrete-choice) and merger simulation methodologies.
- üstra intalliance
Definition of relevant market using choice modelling techniques the transport sector in Germany.
- Definition of relevant market using choice modelling techniques in the music market in US and Europe.

Horizontal and Vertical Agreements

- Spanish railway safety and communication sector (2019-2021)
In the context of potential bid rigging practices in the sector for railway safety and railway communication (case S/DC/0614/17 Seguridad y comunicaciones ferroviarias), analysis of the rationale for cooperation agreements and assessment of the effects on prices of the allegedly anti-competitive practices.
- Mobile telephony in France
In the context of a mobile telephony cartel investigation in France, analysis of the nature of the information exchanges and econometric analyses of their impact on prices.



- Flat glass and car glass investigations
In the context of the European Commission's investigation into the flat glass and auto glass market, analysis of the potential impact of a heavy fine on the company's investment decisions.
- Gas Natural
Expert report on the potential anticompetitive effects of a natural gas long term supply contract between two electricity and natural gas companies in Spain. Advise on the possibility of modifying the economic terms of the contract as a result of changes in the natural gas market.

Abuse of Dominance

- Collecting societies
I advised on a large number of complaints filed with the Spanish antitrust authority and the Intellectual Property arbitrage committee regarding IP tariffs. In all of these cases, I analysed whether the levels of IP tariffs were excessive and/or discriminatory.
- Telefonica Móviles
In the context of a margin squeeze investigation by the Spanish Competition Authority, I used choice modelling techniques to show that the new offering had attributes that were highly valued by consumers.
- Telefónica – SMS (2011)
We have advised Telefónica in a procedure before the Spanish Competition Authority regarding potential exclusionary effects of SMS - (Short Message System) pricing.

Postal sector

- In the context of an international investment treaty arbitration initiated by Croatian postal operator B3 Croatian Courier Coöperatief (ICSID Case No. ARB/15/5), I acted as a competition expert. We responded to the expert reports (first and second Copenhagen Economics report) submitted by the Claimant in relation to alleged distortions in the application of postal regulations in Croatia. We also testified at the oral hearing.
- I have been advising Correos (the incumbent postal operator in Spain) since 2006 on various issues related to competition cases, pricing and the liberalisation of downstream access. These issues arose when the regulator decided to grant access to the incumbent's postal network to new entrants. Access was proposed in response to the Third EC Postal Directive in order to promote competition and ensure quality of postal service. I was commissioned to analyse the effects of the new regulation on access.
- I also contributed to the formulation of access prices. Correos proposed access prices which were based on its pricing policy for large customers. We reviewed this pricing scheme and found that the difference between access prices and large customer prices was due to the option for entrants to avoid the incumbent's network in the future. We estimated the value of this option under alternative assumptions and concluded that the access prices that were proposed by the incumbent were consistent with the option. These access prices were adopted by the regulator in the current access regulation.

State Aid

- MEIP for the Spanish Government
I analysed the applicability of the Market Economy Investor Principle (MEIP) test to an investment made by the Spanish Government. In particular I analysed the profitability of the project set out in the business plan produced by an external advisor.
- France Télécom (C13a/2003)
Economic advice to the European Commission in assessing whether the actions of the French government in supporting France Télécom complied with state aid rules. I carried out an event study on stock prices.

Regulation

- Correos
I have advised the Spanish postal operator since 2006 on a range of issues associated with competition cases, pricing, and the liberalisation of downstream access.



- Phillip Morris
Quantification of the expected impact of plain packaging on tobacco consumption in Australia using simulation techniques.

Intellectual Property

- Design of fair and efficient tariffs to remunerate intellectual property rights in the service sector in Belgium and Spain using choice modelling techniques.
- Design of fair and efficient tariffs for the communication to the public in a hotel room in more than 10 European countries using choice modelling techniques.
- Design of fair and efficient tariffs for the use of sound recordings as Specially Featured Entertainment in the UK.
- For seven Spanish collecting societies, analysis of the economic rationale of the copyright levy and the effect of the limitation of this right.
- In the last few years, I took part in several projects relating to the rationality of IP tariffs in different complaints filed with antitrust authorities and the IP arbitration committee. In all these cases, I analysed whether the levels of IP tariffs were excessive and/or discriminatory. For example, in one case, the value of a TV in a hotel room was estimated using choice modelling techniques and used as a benchmark to analyse whether tariffs were excessive or not.
- For a Spanish collecting society, economic valuation of the portfolio of audiovisual rights of several Spanish producers using econometric techniques.

Choice Modelling

During the last 20 years I have applied choice modelling techniques to many competition policy and strategic problems. These techniques simulate purchasing decisions made by individuals using survey data: consumers are presented with several alternatives, each one described by a different combination of attributes, and are asked to choose their most preferred alternative. Using consumer choices, this methodology allows to simulate the market, to measure individuals' willingness to pay for various attributes of a good, to estimate price elasticity, and to segment the market according to consumer preferences.

- Payment Cards Market
Estimation of consumers' and merchants' preferences in US for alternative payment instruments using survey data, applying choice modelling. These methods produce significant evidence on the benefits of payment instruments including cash, checks, debit cards and credit cards.
- Transportation sector
Definition of relevant market using choice modelling techniques in the transport sector in Germany.
- Music industry
An empirical investigation of the music recording industry focused on statistically analyzing and quantifying the music business, carefully modeling the various determinants of CD sales, and assessing the likely reaction of music consumers to new, legitimate on-line music services. A new exercise, with a broader scope, was commissioned a year later and is now being exploited by our client for marketing, product design and pricing purposes.
- Telecommunications
 - For a European mobile telephony operator, design of its pricing strategy in the residential and business market.
 - For a European mobile telephony operator, economic analysis about an alleged abuse of dominant position, using choice modelling techniques.
 - For a European telecommunication operator, design of its Internet strategy and estimation of the demand for new services (access, web hosting, web housing and e-commerce) in the Spanish small and medium enterprise market.
- Intellectual Property Rights
 - Design of fair and efficient tariffs to remunerate intellectual property rights in the service sector in Belgium and Spain using choice modelling techniques.



- Design of fair and efficient tariffs for the communication to the public in a hotel room in more than 10 European countries using choice modelling techniques.
 - Design of fair and efficient tariffs for the use of sound recordings as Specially Featured Entertainment in the UK.
- Pay TV
 - For a European Pay-TV company, estimation of the impact of a hypothetical distribution of soccer rights.
 - For a European cable TV company, design of the optimal portfolio of TV services taking market segmentation into account.

Merger Simulation

Merger simulation technique is commonly used to assess the impact of a merger on prices and output. The technique involves using certain data and assumptions to create a model that predicts prices and output. The model contains two elements: a demand side which simulates how consumers behave (for example, a nested logit) and a supply side which simulates how firms behave (for example, each firm sets the prices of its brands to maximize profits, known as the Bertrand model). This model is “calibrated” so that it accurately predicts current levels of prices and output. Once the model has been calibrated it can be used to predict the impact when certain assumptions or variables are changed. I have developed the required programs to apply this simulation technique. I have applied this simulation technique to merger cases (e.g. T-Mobile NL/Tele2; Hutchison 3G Italy/Wind; TomTom/TeleAtlas; Phillip Morris/Papastratos; Kraft/Cadbury) and to regulation cases (e.g. quantification of the expected impact of plain packaging on tobacco consumption).

Other

- For the Office of Fair Trade, a report entitled “Switching Costs Economic Discussion Paper No. 5 Annexe B: Review of Empirical Methods for Identifying and Measuring Switching Costs”. In this report we review the empirical methods for estimating switching costs using discrete choice modeling techniques.

PUBLICATIONS

“Consumer Preferences for Personal Data Protection in Social Networks: A Choice Modelling Exercise”, joint with Patricia Lorenzo and Jorge Padilla, 2020. Commissioned by the British Institute of International and Comparative Law. Available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3716206.

“Can Mere Declarations by a State Be Considered as an Advantage Drawn from State Resources: An Economic Perspective. Annotation on the Judgment of the Court of Justice of 30 November 2016 in Case C-486/15 P, European Commission v French Republic and Orange (France Télécom)”, Caroline Buts y José Luis Buendía Sierra (eds), *Milestones in State Aid Case Law. EStAL’s First 15 Years in Perspective*, 2017.

“The welfare effects of private copying levies”, a report for AEPO-ARTIS, EUROCOPYA, GESAC, IFPI, IMPALA and SAA, 2012 (joint with Patricia Lorenzo and Jorge Padilla), available at http://www.gesac.org/eng/homepage_en/download/studylevies-1.pdf

“Sound recordings used in nightclubs and bars: a fair valuation of the licence using a discrete choice analysis”, mimeo, presented at the “Second International conference of choice modelling”, Leeds (UK), July 2011 (joint with Patricia Lorenzo, Daniel Ryan, and Andrew Wynn); available at <http://www.icmconference.org.uk/index.php/icmc/ICMC2011/schedConf/presentations>

“La racionalidad económica de la compensación equitativa por copia privada y la determinación de tarifas equitativas por la comunicación pública de obras y grabaciones audiovisuales”, in Xavier O’Callaghan (ed.) *Los derechos de propiedad intelectual en la obra audiovisual*, Dykinson, 2011.

“The Effect of Falling Volumes on Traditional Efficiency Analysis”, forthcoming in Michael A. Crew and Paul R. Kleindorfer (eds.) *Heightening Competition in the Postal and Delivery Sector*, Edward Elgar Publishing, 2010, (joint with Greg Harman, Wim Koevoets, Erik van der Merwe and Navin Waghe).



“Una perspectiva económica de la política de clemencia”, in Martínez Lage, S. and Petitbó, A. (eds.) Los Acuerdos Horizontales de Empresas, Fundación Rafael del Pino, Marcial Pons, 2009, (joint with A. Jorge Padilla and Nadine Watson).

“Los límites de la intervención regulatoria en política de competencia”, in 1989-2007 Una reflexión sobre la política de defensa de la competencia, Libro Marrón, Círculo de Empresarios, September 2008, (joint with A. Jorge Padilla).

“La cuantificación de daños y perjuicios por incumplimiento de las normas comunitarias de defensa de la competencia: comentarios al Libro blanco de la Comisión europea”, Gaceta jurídica de la Unión Europea y de la competencia, Nº 5, 2008, 51-57.

“La autoevaluación de las conductas: ¿misión imposible?”, Gaceta jurídica de la Unión Europea y de la competencia, Nº 1, 2008, 59-67.

“El “mercado” de generación eléctrica en España: estructura, funcionamiento y resultados”, Economía Industrial, 2007, 21-37 (joint with Luis Agosti and A. Jorge Padilla).

“Análisis de los determinantes de la evolución del gasto farmacéutico en el ámbito autonómico”, a NERA report for Farmaindustria, 2004.

“Switching Costs Economic Discussion Paper No. 5 Annexe B: Review of Empirical Methods for Identifying and Measuring Switching Costs” a NERA report for Office of Fair Trading Department of Trade and Industry, 2003.

“Legal form and risk exposure in Spanish firms”, Spanish Economic Review, 2003, (joint with Javier Campos and Raquel Carrasco).

“The Costs and Benefits of the Strict Protection of Creditor Rights: Theory and Evidence”, in Marco Pagano (ed.), Defusing Default. Incentives and Institutions, Washington, Inter-American Development Bank, 2001, (joint with A. Jorge Padilla).

“Financial Distress, Bank Debt Restructurings and Layoffs”, Spanish Economic Review, 2000 (joint with A. Jorge Padilla).

“Crisis y Reorganización Empresarial en España: el Papel de los Bancos”, Papeles de Economía Española, 2000 (joint with A. Jorge Padilla).

“Conflict of Interest, Employment Decisions, and Debt Restructuring: Evidence from Spanish Firms in Financial Distress”, Working Paper 99-67, Business Economics Series 16, Universidad Carlos III Madrid, 1999, (joint with A. Jorge Padilla).

“La “Segunda Oportunidad”. El Tratamiento de la Quiebra Personal en España y su Reforma”, in Mas-Colell y Motta (eds.) Nuevas Fronteras de la Política Económica, CREI, Barcelona, 1999 (joint with A. Jorge Padilla).

“Privilegio Salarial y Reestructuración Financiera: el Papel del Fondo de Garantía Salarial”, Moneda y Crédito 206, pp. 43-88, 1998 (joint with A. Jorge Padilla).

“Financial Distress, Bank Debt Restructurings and Layoffs: Theory and Evidence”, Documento de Trabajo, CEMFI 9701, 1997 y ISP Discussion Paper 74, Boston University, 1997, (joint with A. Jorge Padilla).

“Reducción de Plantilla y Problemas de Viabilidad Financiera: el Papel de la Estructura de Capital”, Investigaciones Económicas 20 (1), pp. 43-70, 1996.

“Mathematica en el Análisis Económico”, Revista de Economía Aplicada 9 (3), pp. 185-192, 1995 (joint with Javier Campos).

“Reducción de Plantilla y Problemas de Viabilidad Financiera: el Papel de la Estructura de Capital”, Working Paper, CEMFI 9504, 1995.

Op Eds

El Canon digital: una visión no maniquea, Expansión, March 22, 2007.



HONORS

- Runner up nomination in the European Association for Research in Industrial Economics Young Economists' Essay Award for the paper entitled "Financial Distress, Bank Debt Restructurings and Layoffs: Theory and Evidence", joint with A. Jorge Padilla (1996).
- Scholarship Centro de Estudios Monetarios y Financieros (CEMFI) (1997)
- Essay Prize of the Spanish Financial Association (AEFIN) for the paper entitled "Conflict of Interest, Employment Decisions, and Debt Restructuring: Evidence from Spanish Firms in Financial Distress", joint with A. Jorge Padilla (1999)

LANGUAGES

- Spanish (native)
- English (fluent)

