

organized by



Short course - Executive Education Programme

31 Mar - 2 Apr 2016 | Florence, Italy



ELIGIBLE PARTICIPANTS

The course is open to:

- Public sector: decision makers, national and local regulators and officials from competition authorities
- Private sector: legal experts, consultants and other professionals dealing with competition and regulation issues
- Academia: researchers and doctoral students

REGISTRATION AND FEE

For registrations completed by the 21st of February 2016, the full fee is 1.900 EUR and includes tuition, materials, one social dinner, coffee-breaks and two lunches.

The early bird fee (deadline extended to 22nd of January 2016) is 1.490 EUR

Special fees apply to non-OECD residents and PhD candidates: full fee 1.490 EUR, early bird fee 1.290 EUR

Special conditions are in place for participants coming from Competition and Network Industry Regulatory Authorities.

COMPETITION POLICY AND LOCAL REGULATION: CLASH, COEXISTENCE AND COOPERATION

Short course – Executive Education Programme

TOPICS

- Competition and local regulation: institutional design in different contexts. The European framework;
- Critical factors in regulation and service management at local level: double roles, osmosis, improper costs;
- Enforcement of competition rules at supra-local and local levels;
- State's exclusive rights and local regulation;
- The local field as a social network: the Turin School of Local Regulation approach with [FIELD Methodology](#);
- Enforcement and local social/political networks: when competition rules meet local lobbies and political cycle.

CASE STUDIES (the course will examine in depth a number of cases among the ones listed below)

- Local mobility: the Uber case. Technology disruption, central policy and local regulation;
- Tenders for local services, local regulation and competition: the cases of centralized heating and gas distribution;
- Public transport management (train & buses) and efficient competitive tenders: an overview of the most important tender procedures in Italy. The case of Piedmont and Tuscany;
- Local monopolies offering side products in competitive markets: the water Huts;
- Competition from private suppliers of water;
- AirBnb, local taxation and accommodation capacity;
- Exclusive concessions and airports: the Luton case;
- Waste management;
- Shops & mall opening time.

Application form and further information:

www.turinschool.eu/eep/competition2016

VENUE

Florence School of Regulation European University Institute
19, Via delle Fontanelle
50014, San Domenico di Fiesole, Florence (Italy)

The training will take place at the European University Institute campus in Fiesole, on the hills nearby Florence. The training participants will benefit from the remarkable location, the international environment, the fully-equipped facilities of the EUI campus, including the EUI excellent library.

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RATIONALE

Institutional design usually allots competition policy at the central level: the State or the supra-national organizations are responsible for well-functioning markets, reform of traditionally monopoly-based sectors, prevention of abuses of dominant positions, control of mergers and undue economic aids that may distort competition.

Yet the competition central policy very often boils down at much lower levels, due to the typical political and regulatory twists existing among local institutions (e.g. Municipalities, Counties, Regions, federal States), in particular as far as it clashes/meets with administrative jurisdictions and local authorities in the enforcement phase. In some countries the conflict is so explicit that antitrust authorities have the right to challenge in court local administrative decisions that clashes with competition rules (in Italy, for instance, this already happened in 43 cases).

As a matter of fact, local regulation deals mainly with local infrastructures and tariff policies for services that have a profound impact on citizen's everyday life such as water management, transport services, waste management, local energy networks. Furthermore, many other economic activities are inherently affected by technical/political decisions to be adopted at local levels: this is the case, for instance, of the following domains:

- retail & distribution services (e.g. when the building of shopping centers depend on local construction authorizations, or when the possibility to open new commercial activities is hindered by the existence of maximum/fixed number rules applied at local levels, as in the Italian cases of pharmacies, gas stations, taxi licenses);
- tourism/culture management;
- land use;
- real estate development.

In particular, problems seem to arise when the State gives exclusive rights to infrastructure owners, whose behaviour can collide at local level with other legitimate interests, including competition.

It is worth noting that pressures and incentives for anticompetitive behaviours could be more intense at local level due to the complex net of relationships existing among actors traditionally embedded in the relevant socio-territorial contexts: moreover, such pressures and incentives are often enhanced by the double role of local administrations, acting as regulators as well as direct/indirect service providers (the case of so-called in house service providing being the most notable example of possible conflict of interests of this kind). At the same time, and for the same reasons, local factors hindering healthy competition and efficient management may be more difficult to be detected by national authorities, such as industry regulators and antitrust agencies.

Furthermore, regulating local infrastructures and public services in line with competition principles is subject to specific and additional challenges compared to the regulation of big network services usually implemented at central level: there is an increasing need, for instance, to take into due account the participation/involvement of a broader group of fragmented shareholders in most economic projects carried out by local authorities. Therefore, the local dimension deserves particular attention, the development of specialized skills - both by administrators and controllers - and tailored supporting instruments appears as an important goal.

COURSE OBJECTIVES

The course intends to outline the framework of problems related to competition policy and local regulation, setting the right stage to cope with the peculiar challenges of this sometimes troubled relation, in a context of fruitful osmosis between different cultural contributions and case studies.

In line with the traditional approach already successfully developed by the Turin School of Local Regulation and the Florence School of Regulation, a concise, yet strong theoretical background (both under economic and legal viewpoints) will be provided to participants.

The course is practice-oriented, structured by real case studies presented and discussed by the participants and the faculty.

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PROGRAMME

Thursday 31st March 2016	09:00 – 09:30	<i>Welcome</i>
	09:30 – 11:00	Institutional design of competition policy and regulation: comparative view Pier Luigi PARCU , <i>European University Institute</i>
	11:00 – 11:20	<i>Coffee break</i>
	11:20 – 12:50	Competition in local markets Pier Luigi PARCU , <i>European University Institute</i>
	12:50 – 14:10	<i>Lunch</i>
	14:10 – 15:40	Prices and subsidies in local regulation Carlo SCARPA , <i>University of Brescia</i>
	15:40 – 16:00	<i>Coffee break</i>
	16:00 – 17:30	Competition policy and local governance: enforcement and advocacy Giorgio MONTI(*) , <i>European University Institute</i>
	20.30 – 22.30	<i>Social dinner</i>
Friday 1st April 2016	09:00 – 10:30	Competition, regulation and local public transport: the Competitive tendering of the Toscana Region as a case study Luca ARNAUDO , <i>Italian Competition Authority</i>
	10:30 – 10:50	<i>Coffee break</i>
	10:50 – 12:20	Not too much sharing...and a lot of selling: economics and regulation of Uber, Blablacar and Airbnb Franco BECCHIS , <i>Turin School of Local Regulation</i>
	12:20 – 13:40	<i>Lunch</i>
	13:40 – 15:10	Technology disruption, policy and regulation: the local distribution of energy Leigh HANCHER , <i>European University Institute</i>
	15:10 – 15:30	<i>Coffee break</i>
	15:30 – 17:00	Commercial activities and local public services, competition and regulatory issues at local level Veronica PINOTTI , <i>Mc Dermott Will & Emery</i>
Saturday 2nd April 2016	09.00 – 10:30	Competitive bidding in the local public transportation: the case of regional railways Carlo CAMBINI , <i>Polytechnic University of Turin</i>
	10:30 – 11:00	<i>Coffee break</i>
	11:00 – 12:30	Disruption & Local Regulation: the disrupter's perspective Benedetta ARESE LUCINI , <i>Invitalia Ventures and 360 Capital Partner</i>
	12:30 – 12:45	Final Remarks Franco BECCHIS , <i>Turin School of Local Regulation and Pier Luigi PARCU</i> , <i>European University Institute</i>
	12:45 – 13:30	<i>Lunch</i>

(*) to be confirmed

FACULTY



Benedetta ARESE LUCINI *Invitalia Ventures and 360 Capital Partner*

Benedetta graduated from Università Bocconi and holds an MBA from NYU Stern School of Business. She has ten years of experience across 8 countries and 3 continents, from the Silicon Valley to Asia. Her experience spans from Investment Banking at Morgan Stanley and Credit Suisse, to Rocket Internet's first retail e-commerce in South East Asia, Zalora. Three years ago she moved back to Italy to bring innovation in her home country, firstly as Country Manager of Uber and then as an advisor to venture capitals such as 360 Capital Partners and Invitalia Ventures and various startups. She is an avid runner, contemporary art collector and traveller.



Luca ARNAUDO *Investigative officer at the Italian Competition Authority*

Ph.D. in law and economics, he has been a visiting professor at the Sant'Anna School of Advanced Studies (Pisa, 2014) and at the UnLaM University (Buenos Aires, 2010), as well as a visiting scholar at various universities in the U.S. and Europe. His main research interests are cognitive law and economics, antitrust, public utilities, and pharmaceutical regulation, on which he wrote two books and more than forty articles and book chapters. Luca is an officer of the investigative division of the Italian Competition Authority since 2001.



Franco BECCHIS *Turin School of Local Regulation*

Scientific Director of the Foundation for the Environment and of the initiative "Turin School of Local Regulation", he coordinates research programmes on the interaction between economics, energy and the environment and on local public services, as well as capacity building and support activities for local public entities. He is author and editor of the forthcoming handbook "The political economy of local regulation" published by Palgrave Macmillan. He has been contract Professor in Environmental Economics at the Polytechnic of Torino, University of East Piedmont and Saint John International University. His scientific interests and his publications range from public economics to environmental and regulatory economics.



Carlo CAMBINI *Polytechnic University of Turin*

Ph.D. in Public Economics, he was Visiting Researcher at the Institut d'Economie Industrielle (IDEI) at the University of Toulouse (1998/1999), where he worked under the supervision of Prof. J.J. Laffont. Currently he is Associate Professor in Industrial Organization in Politecnico di Torino and member of the Scientific Committee of the Florence School of Regulation. He specializes in Industrial Organization and Policy, Competition Policy and Regulation, Special focus on the Economics of Public Utilities in general and Economics of Telecommunications.



Leigh HANCHER *European University Institute*

Leigh Hancher is a Professor of European Law at the University of Tilburg and is also attached to the Amsterdam office of Allen & Overy as Counsel. Her research interests concern energy market regulation, EU state aids and energy market governance. Leigh has been a Professor since 1991, initially at the Erasmus University, Rotterdam. In 1996 she was Visiting Professor in "Natural Resources Law" at the University of Calgary, Canada. She has broad experience in energy regulation issues at the European and national levels. Her expertise, as well as her academic research are focused on the changing role of the government in stimulating the liberalisation of traditionally heavily regulated sectors. Leigh studied Law at the Universities of Glasgow and Sheffield, and at the EUI. In 1989 she obtained, with distinctions, her doctorate in Law at the University of Leiden.

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Giorgio MONTI *European University Institute*

Giorgio Monti joined the EUI in 2010, where he holds the Chair in Competition Law, and is presently Head of Department. He writes on all aspects of competition law, with a particular interest in the aims pursued by antitrust enforcement; his book *EC Competition Law* (2007, second edition in preparation) places antitrust enforcement in its economic, institutional and policy context to explain how the law evolves. He has taught competition law at all levels, from undergraduates to industry professionals and also to judges and civil servants. He is a non-governmental adviser to the International Competition Network, and member of the editorial board for *Concorrenza e Mercato*.



Pier Luigi PARCU *European University Institute*

Pier Luigi Parcu is part-time Professor at the European University Institute where he directs the Communications and Media Area at the Florence School of Regulation and the Centre for Media Pluralism and Media Freedom. From 2004 he is the Chairman of a consultancy company specialized in antitrust and regulatory issues of network industries. Previously, he has been CEO of the Independent System Operator running the Italian Electricity Grid (GRTN), Director of Investigation at the Italian Competition Authority (AGCM) in charge of several regulated sectors. He also served as Chief Economist at the Italian Security and Exchange Commission (CONSOB) and as Economist at the International Monetary Fund (IMF). He holds a Ph.D. in Economics from the University of California at Los Angeles (UCLA). His research interests are focused on industrial organization, law and economics, especially on themes concerning the interaction between regulation and antitrust in shaping firms' behaviour in network industries.



Veronica PINOTTI *McDermott Will & Emery Law Firm*

Partner in the law firm of McDermott Will & Emery Studio Legale Associato. She leads the Italian EU Competition and Regulatory practice, where she focuses on advising Italian and international clients on a wide range of legal issues relating to competition, including merger control, distribution, cartels and abuse of dominance before the Italian Competition Authority and the European Commission.



Carlo SCARPA *University of Brescia*

Full professor of Economics at the University of Brescia. He has taught and done research at Universities of Oxford, Cambridge and York, at the Bocconi University in Milan, London Business School, Boston College and Delta (Ecole Normale Supérieure) in Paris. He acted as advisor to the Bank of Italy, Consob (the Italian Stock exchange regulator), the Aeg (the Italian energy authority), the World Bank, private firms in the energy sector and associations of local public utilities. He is interested in industrial economics, particularly with reference to regulated public utilities and to the energy and transportation sectors.

SECRETARIAT

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The **Turin School of Local Regulation (TSLR)** is a network school with a specific mission: focusing on local aspects of regulation and governance of public services and bridging the gap between the academic research and the local decision-makers.

The TSLR was officially launched by Foundation for the Environment in 2012 to capitalize a 15-year experience on training and capacity building on regulation of local public services. The School adopts a policy-oriented approach, with the aim of spreading the culture and instruments of regulation and regulatory reform at local level.

In terms of topics and sectors covered, the TSLR focuses on different aspects connected to local regulation (like investment decisions, procurement, tariff setting, asset management and distributional aspects) and on different sectors, namely energy distribution, urban waste and water cycle, local public transport, green areas and sport facilities, local welfare policies.

Turin School of Local Regulation
Via Maria Vittoria 38, 10123 –
Turin (Italy)
<http://turinschool.eu>

The **Florence School of Regulation (FSR)** at the European University Institute (EUI) is a centre of debate, training and research about regulation and competition policy in the network industries.

The Communications & Media Area of the FSR has been established in partnership with the European Electronic Communications Regulators (IRG/BEREC) and works closely with the European Commission (DG CNECT).

The Communications & Media Area of the FSR (FSR C&M) is directed by Prof. Pier Luigi Parcu, with the support of a high level [Scientific Committee](#) and qualified [research associates](#) and [project assistants](#).

Florence School of Regulation –
Communications and Media
Via delle Fontanelle 19, 50014 –
San Domenico di Fiesole, Florence
(Italy)
<http://fsr.eui.eu>

ENTrANCE focuses on issues of competition law and economics. The Project is directed by Professor [Pier Luigi Parcu](#), who is supported by a [research residential team](#) and a [Scientific Committee](#). The aim of ENTrANCE is to become an important new hub where European and international competition enforcers and other stakeholders can exchange ideas, share best-practices, debate emerging policy issues and enhance their networks. The Project carries out three specific activities:

- Training
- Research
- Policy Debate

By linking training, debate and research activity within the Project, together with the presence and inputs of a varied community of scholars and practitioners, the aim is to create a common cultural ground where major scientific projects can be carried out.

ENTrANCE Project
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