

3RD ANNUAL COMPETITION AND ECONOMIC REGULATION (ACER) WEEK SOUTHERN AFRICA

VENUE: LAICO LEDGER PLAZA BAHARI BEACH HOTEL, DAR ES SALAAM, TANZANIA

Economics and Law for Economic Regulation

11 – 13 July 2017

DRAFT OUTLINE




Day 1, 11 July 2017	
0830-0845	Registration
0845-1030	Objectives of, and rationale for, economic regulation <ul style="list-style-type: none"> • The natural monopoly problem, barriers to entry and market power • Externalities and market failures • Assessing the private and social returns • Relationship between economic regulation and economic development • Infrastructure, industrial policy and regulation • Examples from energy and telecoms and the evolution of economic regulation in African countries
Tea break	
1100-1230	Exercise 1: Case studies of regulatory challenges <ul style="list-style-type: none"> • Regulating gas prices • Payments system • Mobile call termination rates • Independent power producers
Lunch break	
1330-1500	Key principles of regulatory economics <ul style="list-style-type: none"> • Entry, access and vertical integration • Licensing and universal access • Investment, growth and structure of the economy • Auctions, investments and incentives
Tea break	
1515-1630	Applying analysis to exercise case studies

Day 2, 12 July 2017	
0830-1030	Price Regulation <ul style="list-style-type: none"> • Types of price regulation <ul style="list-style-type: none"> ○ Rate of return ○ Price cap ○ Yardstick competition and benchmarking • Issues in price regulation <ul style="list-style-type: none"> ○ Structure of prices ○ Vertical separation ○ Ramsey pricing ○ Externalities ○ Subsidies
Tea break	
1100-1230	Exercise 2: Price regulation in energy <ul style="list-style-type: none"> • Electricity • Gas

Lunch break	
1330-1500	Essential Facilities and exclusionary conduct <ul style="list-style-type: none"> • Defining an essential facility • Economics of network effects • Telecoms: Optimal call termination rate setting/Local Loop Unbundling • Energy: IPPs • Transport
Tea break	
1515-1630	Exercise 3: Access to essential facilities with application to telecommunications <ul style="list-style-type: none"> • Regulation of fixed line services • Spectrum auctions

Day 3, 13 July 2017	
0830-1030	Legal status, mandate & structure of economic regulators & competition authorities <ul style="list-style-type: none"> • Different international models • Considering statutory powers of regulators and their exercise • Why regulations, policies and guidelines are necessary • The likely bases for substantive and procedural challenges • Discussions of examples and learning from experience
Tea break	
1100-1230	Assessing evidence obtained and making findings considering standard of proof <ul style="list-style-type: none"> • Applying evidence to meet tests • Considering alternative explanations • Due process • Administrative & criminal standards • Conducting a public hearing
Lunch break	
1330-1430	Grounds for appeal and review/ Negotiating and settling complaints and disputes <ul style="list-style-type: none"> • Jurisdiction, standing and timing • Scope of judicial review: the record, appeals and reviews • Remedial powers and discretion • Information asymmetries in the negotiating and settling process • Tactics for negotiation • Procedural issue with negotiating settlements and resolving disputes • Substantive effects of settlement and dispute resolution
Tea break	
1445-1630	Exercise 4: Due process and decision-making
1630- 1645	Wrap up and presentation of certificates

Programme Lecturers and Facilitators

	<p>Professor Simon Roberts is Executive Director of the Centre for Competition, Regulation and Economic Development (CCRED) and professor of economics at the University of Johannesburg. He held the position of Chief Economist and Manager of the Policy & Research Division at the Competition Commission South Africa from November 2006 to December 2012 where he played a lead role in prioritisation, running complex cases and settlements. In addition, Simon has consulted extensively on competition matters over the past 15 years, has been an expert witness in a number of major cases, and has advised competition authorities across the African continent. He has published widely in local and international journals including <i>World Competition</i>, <i>Journal of Competition Law and Economics</i>, <i>Industrial and Corporate Change</i>, <i>Journal of African Economies</i>, <i>Review of African Political Economy</i>.</p>
	<p>Jonathan Klaaren is Professor and former Dean of the School of Law at the University of the Witwatersrand in Johannesburg, South Africa. He teaches, researches, and writes in the areas of human rights, law, and sociology, having published widely and supervised numerous dissertations. His current research interests are in the legal profession, economic regulation, public law/human rights, and sociolegal studies in Africa. He has served on a number of editorial committees and boards including those of the South African Journal on Human Rights, Law & Society Review, and Law & Policy. He holds a Phd in sociology from Yale University and law degrees from Columbia (JD) and Wits (LLB). He served as Dean of the Wits Law School from 2010 to 2013 and as Director of the School's Mandela Institute from 2005 to 2007. Beyond his permanent appointment in the Law School, he has served as an Acting Judge on the High Court and holds an additional appointment as a Visiting Professor in the Faculty of Humanities with the Wits Institute for Social and Economic Research (WiSER).</p>
	<p>Sha'ista Goga is a Director at Acacia Economics and is also a Senior Research Fellow at the Centre for Competition, Regulation and Economic Development at the University of Johannesburg. Over the last 10 years, she has provided regulatory advice to key stakeholders in the broadcasting, healthcare, financial and energy sectors and has provided analysis and advice to clients on mergers and prohibited practices cases, appearing before both South African and Indian competition authorities. She has research and consulting experience within both the corporate and non-profit sectors. Sha'ista holds a bachelor's degree in economics from the University of the Witwatersrand as well as a Master of Philosophy in Economics from Oxford University, where she was a Rhodes Scholar. Sha'ista was an associate lecturer at the University of the Witwatersrand. She has presented at numerous conferences and has publications.</p>