

Andrew Mell

Technical Adviser

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Languages: English



Expertise

- Antitrust
- Antitrust Damages
- Market Investigations
- Mergers

Sectors

- Digital
- Telecoms, Media and Technology

Profile

Andrew is a member of Oxera's Competition team. Before joining Oxera, he worked in academia as an economics fellow at the University of Oxford. He has over five years' experience working as an economics consultant, advising a range of international clients on matters relating to competition law and intellectual property. He is a co-author of *The Rough Guide to Economics* (2014).

Andrew's work focuses on economic analysis in the context of market investigations, litigation and merger proceedings. He has advised clients in numerous sectors including financial services, telecoms, technology, agriculture and post.

Selected professional experience

- Led on litigation support in consumer action against cryptoexchanges that delisted BSV to the detriment of holders in the UK (2022–)
- Led on a market definition issue in a consumer action case defending BT against excessive pricing allegations (2021–24).
- Led on an Open Banking Market Design paper commissioned by NatWest Bank (2023)
- Led on examination of the application of proposed Basel III reforms to small UK banks focused on the impact on SME lending. Commissioned by Allica bank. The report was covered in the FT.
- Joint led on arbitration support to United Group in a dispute with the Republic of Serbia (2022–23)

- Led on a response to FCA's discussion paper on the impact of Big Tech's entry into financial markets, commissioned by a major UK bank (2022–23)
- Led on a project for the Dutch Ministry of Economic Affairs and Climate Policy examining the case for a levy on large internet content providers (2022–23)
- Led on an investigation into the impact of Ireland's tight prudential mortgage regulation on the Irish housing market (2022)
- Advised on an assessment of the prevalence of driver multihoming for Uber (2022)
- Advised on a review of the proposed DMA amendments as the DMA progressed through the EU legislative process (2021–22)
- Advised on an arbitration support in a dispute over termination payments in terms of principles of optimal contracting and moral hazard (2021)
- Advised an international firm facing a potential damages claim from a rival after settling allegations relating to the Foreign Corrupt Practices Act from the US Department of Justice (2021)
- Led on the production of a public report on the relationship between innovation and competition (2020)
- Reviewed the management literature on two-sided platforms to examine whether they present benefits that are not captured in the IO literature (2020)
- Assessed the potential theories of harm regarding the prices imposed by a supplier in the (GM) agricultural sector (2020)
- Contributed to a review of the management literature on two-sided platforms to examine whether they present benefits that are not captured in the IO literature (2020)
- Contributed to a critique of an assessment of damages in the trucks cartel presented by the plaintiff's advisers, which had been based on a calibrated theoretical model (2019)
- Advised Royal Mail in its appeal against a fine imposed by Ofcom for a pricing scheme that allegedly abused a dominant position in order to foreclose a potential entrant (2019)
- Advised a large multinational online retailer about the potential theories of harm as a result of a potential market investigation by the European Commission (2018)
- Advised a European telecoms company on the potential competitive effects of new pricing schemes designed to encourage the take-up of faster broadband (2018)
- Advised the parties to a potential joint venture on efficiency arguments that might be effective on the basis of economic theory (2018)
- Advised multinational parties to a merger on the potential for anticompetitive effects that might operate through reduced incentives to innovate, and the likely scale of such issues (2017)
- Advised a chemical producer on the abuse of dominance allegations and theories of harm resulting from its pricing practices for sulphuric acid (2017)
- Advised Legal Services Board on the applicability of the literature on self-regulation and voluntary regulation to the provision of some elements of legal services (2016)
- Provided an academic review of the econometric modelling behind a report on the relationship between public and private investment into science research and innovation (2015)
- Advised on the stability of collusion on fuel surcharges as a matter of economic theory to refute a suggestion that profits would be 'competed away' on the price for the ticket (2014)
- Advised the legal ombudsman on the importance of good complaints-handling for improving the reputation of legal firms and the mechanism by which this would improve their profitability (2013)
- Advised a client in the telecoms sector about the perverse incentives potentially created by the reputational concerns of a regulator, to feed into its position on reforming the competition and regulatory appeals (2013)

- Advised a UK water company on the importance of reputation in retail markets in preparation for the introduction of retail competition for non-household customers (2013)
- Modelled the impact of various potential carbon abatement policies in the transport sector, to assist the UK Committee on Climate Change in producing a Marginal Abatement Cost Curve for the sector (2008)
- Presented the results of a qualitative survey on the position of incumbent USO postal services providers in a number of EU countries (2008)
- Advised a major international bank during the Competition Commission's market investigation into payment protection insurance (creditor insurance) (2007–08)
- Reviewed and improved upon Royal Mail's Delivery Cost Model for Postcomm (2006)

Selected publications

- Mell, A. and Shier, G. (2021), 'Understanding competition in digital markets: new perspectives on old practices', *Competition Law Journal* 20:3.
- Radford, S., Mell, A. and Thevoz, S.A. (2019), 'Lordy Me! Can donations buy you a British peerage? A study in the link between party political funding and peerage nominations, 2005–2014', *British Politics*, pp. 1–25.
- Mell, A. and Walker, O. (2014), *The Rough Guide to Economics*, Rough Guides.

Qualifications

- DPhil Economics, University of Oxford, UK
- MPhil Economics, University of Oxford, UK
- BA PPE, University of Oxford, UK