



**ADVOCACY WORKING GROUP**  
**MARKET STUDIES PROJECT**

**MARKET STUDIES INFORMATION STORE**

**JURISDICTION:**

**United States -Department of Justice, the Antitrust Division**

**UPDATED: DECEMBER 2015**

## Information Store

**United States- Department of Justice, the Antitrust Division**

<b>Sector:</b>	Health										
<b>Market:</b>	Multiple provider and insurance markets	<b>Range of Possible Outcomes</b>									
<b>End Date:</b>	February 2015	<b>Competition Enforcement</b> <b>Consumer Enforcement</b> <b>Consumer Education</b> <b>Business Education</b> <b>Voluntary Business Compliance</b> <b>Voluntary Business Action</b> <b>Recommendations to Government for Changes in the Law</b> <b>Recommendations to Government to Change Market Structure</b> <b>Recommendations for Changes to Government Policy</b> <b>Referral to Third Parties</b> <b>No Problems Found</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Duration:</b>	2-day workshop										
<b>Source of idea for study:</b>	Agency recognition of changing marketplace										
<b>Outcome (tick relevant columns):</b>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	<p>The Antitrust Division of the Department of Justice and the Federal Trade Commission (the Agencies) held a public workshop, “Examining Health Care Competition,” to study developments related to health care provider organization and payment models that may affect competition in the provision of health care services. Topics of discussion included early observations of accountable care organizations, alternatives to traditional fee-for-service payment model, trends in provider consolidation, trends in provider network and benefit design strategies, as well as contracting practices and regulatory activity that may enhance or undermine these strategies, and early observations of health insurance exchanges. The Agencies have not issued a report, but have made the transcript of and the video of the workshop available to the public at the following web site.</p>										
<b>Link to report:</b>	<a href="http://www.justice.gov/atr/events/public-workshop-examining-health-care-competition">http://www.justice.gov/atr/events/public-workshop-examining-health-care-competition</a>										



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<b>Sector:</b>	Information Markets and Intellectual Property Rights											
<b>Market:</b>	Information Markets and Intellectual Property Rights	<b>Range of Possible Outcomes</b>										
<b>End Date:</b>	December 10, 2012	<b>Competition Enforcement</b> <b>Consumer Enforcement</b> <b>Consumer Education</b> <b>Business Education</b> <b>Voluntary Business Compliance</b> <b>Voluntary Business Action</b> <b>Recommendations to Government for Changes in the Law</b> <b>Recommendations to Government to Change Market Structure</b> <b>Recommendations for Changes to Government Policy</b> <b>Referral to Third Parties</b> <b>No Problems Found</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Duration:</b>	One-Day Public Workshop (Ongoing follow-up study undertaken by Federal Trade Commission)											
<b>Source of idea for study:</b>	Department of Justice Antitrust Division and Federal Trade Commission											
<b>Outcome (tick relevant columns):</b>			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	To explore the impact of patent assertion entity activities on innovation and competition and the implications for antitrust enforcement and policy.											
<b>Link to report:</b>	No official report has been issued by the Agencies, but Public Comments and a Transcript are available at <a href="http://www.justice.gov/atr/events/public-workshop-patent-assertion-entity-activities">http://www.justice.gov/atr/events/public-workshop-patent-assertion-entity-activities</a>											

<b>Sector:</b>	Other											
<b>Market:</b>	Agriculture	<b>Range of Possible Outcomes</b>										
<b>End Date:</b>	December, 2010	<b>Competition Enforcement</b> <b>Consumer Enforcement</b> <b>Consumer Education</b> <b>Business Education</b> <b>Voluntary Business Compliance</b> <b>Voluntary Business Action</b> <b>Recommendations to Government for Changes in the Law</b> <b>Recommendations to Government to Change Market Structure</b> <b>Recommendations for Changes to Government Policy</b> <b>Referral to Third Parties</b> <b>No Problems Found</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Duration:</b>	1 year											
<b>Source of idea for study:</b>	US Department of Justice and USDA											
<b>Outcome (tick relevant columns):</b>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	These were the first joint Department of Justice/USDA workshops ever to be held to discuss competition and regulatory issues in the agriculture industry. The goals of the workshops were to promote dialogue among interested parties and foster learning with respect to the appropriate legal and economic analyses of these issues as well as to listen to and learn from parties with real-world experience in the agricultural sector.											
<b>Link to report:</b>	<a href="http://www.justice.gov/atr/events/public-workshops-agriculture-and-antitrust-enforcement-issues-our-21st-century-economy-10">http://www.justice.gov/atr/events/public-workshops-agriculture-and-antitrust-enforcement-issues-our-21st-century-economy-10</a>											



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**Information Store**

<b>Sector:</b>	<b>Communications</b>											
<b>Market:</b>	<b>Telecommunications Symposium and Report</b>	<b>Range of Possible Outcomes</b>										
<b>End Date:</b>	November 2008	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
<b>Duration:</b>	12 months											
<b>Source of idea for study:</b>												
<b>Outcome (tick relevant columns):</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	The 2007 symposium and 2008 report addressed the state of competition and likely future developments in providing voice, video, and broadband services to consumers.											
<b>Link to report:</b>	<a href="http://www.justice.gov/atr/public/reports/239284.pdf">http://www.justice.gov/atr/public/reports/239284.pdf</a>											

<b>Sector:</b>	<b>Transport</b>											
<b>Market:</b>	<b>Airline Competition</b>	<b>Range of Possible Outcomes</b>										
<b>End Date:</b>	October 2008	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
<b>Duration:</b>	1 day workshop											
<b>Source of idea for study:</b>												
<b>Outcome (tick relevant columns):</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	This 2008 workshop on academic research addressed developments in airline antitrust and competition 30 years after deregulation. The sessions covered regulatory reform in the airline industry, financial volatility, recent trends, and entry.											
<b>Link to report:</b>	<a href="http://www.justice.gov/atr/airline-competition-workshop-agenda">http://www.justice.gov/atr/airline-competition-workshop-agenda</a>											



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**Information Store**

<b>Sector:</b>	<b>Energy</b>											
<b>Market:</b>	<b>Electric Energy Market</b>	<b>Range of Possible Outcomes</b>										
<b>End Date:</b>	April 2007	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Government Changes to Government Policy	Referral to Third Parties	No Problems Found
<b>Duration:</b>	21 months											
<b>Source of idea for study:</b>	Statutory requirement by Congress											
<b>Outcome (tick relevant columns):</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	The Energy Policy Act of 2005 established an Electric Energy Market Competition Task Force that included both DOJ and FTC, along with other government agencies. The Act required the Task Force to conduct a study and analysis of competition within the wholesale and retail markets for electric energy in the United States and to submit a final report to Congress on the findings of such study and analysis.											
<b>Link to report:</b>	<a href="http://energy.gov/oe/downloads/report-congress-competition-wholesale-and-retail-markets-electric-energy">http://energy.gov/oe/downloads/report-congress-competition-wholesale-and-retail-markets-electric-energy</a>											

<b>Sector:</b>	<b>Housing</b>											
<b>Market:</b>	<b>Real Estate Brokerage Industry</b>	<b>Range of Possible Outcomes</b>										
<b>End Date:</b>	April 2007	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Government Changes to Government Policy	Referral to Third Parties	No Problems Found
<b>Duration:</b>	18 months											
<b>Source of idea for study:</b>	Earlier competition advocacy efforts											
<b>Outcome (tick relevant columns):</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	A number of industry developments raised competitive concerns, particularly laws and regulations in some states that limit consumer choice of real estate brokerage service offerings and that prohibit rebates to consumers, anticompetitive agreements among brokers, and industry practices that impede competition. The study included examination of the structural characteristics of the industry, recent growth of non-traditional brokerage models, impact of the Internet on consumers of brokerage services, and obstacles to a more competitive environment.											
<b>Link to report:</b>	<a href="http://www.justice.gov/atr/competition-real-estate-brokerage-industry">http://www.justice.gov/atr/competition-real-estate-brokerage-industry</a>											



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**Information Store**

<b>Sector:</b>	Health											
<b>Market:</b>	Health Care	<b>Range of Possible Outcomes</b>										
<b>End Date:</b>	July 2004	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
<b>Duration:</b>	17 months											
<b>Source of idea for study:</b>												
<b>Outcome (tick relevant columns):</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	The study addresses the role of competition in health care, how it can be enhanced to increase consumer welfare and how antitrust enforcement can protect existing and potential competition in health care.											
<b>Link to report:</b>	<a href="http://www.justice.gov/atr/public/health_care/204694.htm">http://www.justice.gov/atr/public/health_care/204694.htm</a>											