

BECCLE

BERGEN CENTER FOR COMPETITION LAW AND ECONOMICS

ANNUAL REPORT 2022

BECCLE has completed its eleventh whole calendar year as an independent research center in competition law and economics. Bergen Center for Competition Law and Economics was established in 2011, and it is a center jointly owned by Norwegian School of Economics and the University of Bergen.

The idea to establish a center was initiated in 2010 by people at University of Bergen, Norwegian School of Economics and Norwegian Competition Authority. A committee submitted two reports to the rectors at the University of Bergen and Norwegian School of Economics, one in [October 2010](#) and one in [January 2011](#). In May and June 2011 the boards at University of Bergen and the Norwegian School of Economics decided to establish such a joint center.

BECCLE is a meeting place for economists and lawyers interested in competition policy questions. The center is located in Jekteviksbakken 31, Bergen, Norway. In 2012 BECCLE joined a European network of research institutions with a similar focus: [CLEEN](#) (Competition Law and Economics European Network).

BECCLE has since August 2013 been physically located at Jekteviksbakken 31, Bergen. This means that we are co-located with the Faculty of Law at University of Bergen (at the JUSS II building).



Due to COVID-19, the activity was low in 2020 and 2021. However, in 2022 it returned gradually to a more normal activity level.

News in 2022 – some key figures

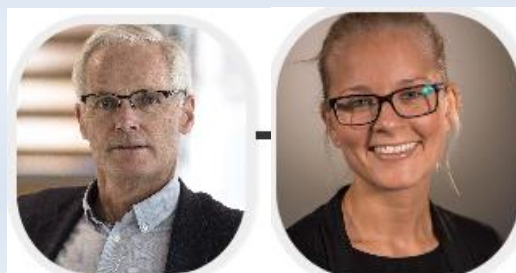
Some facts and figures for BECCLE in 2022 (more details below):

- Hosted the BECCLE conference at Norwegian School of Economics June 2-3
- 7 seminars were given, starting in April 2022
- 8 master theses were written on competition policy issues
- 4 doctoral students affiliated with BECCLE are now working on competition law and economics
- 4 professor II have been affiliated with BECCLE
- New leadership at BECCLE from early 2022

New leadership at BECCLE

In March 2022 the board of BECCLE appointed professor Lars Sørsgard at the Norwegian School of Economics as the new director for the period March 15, 2022 to June 31, 2025. He replaced associate professor Bjørn Olav Johansen at Department of Economics at University of Bergen.

In addition to Lars Sørsgard, the general management then consists of Bjørn Olav Johansen, associate professor Ingrid M. H. Barlund and professor Ronny Gjendemsjø, both at Faculty of Law, University of Bergen.



Professor II at BECCLE

In 2022 there have been four researchers affiliated BECCLE. They have all had a part time position shared with Department of Economics at either NHH or UoB.

- Professor [Thibaud Verge](#), CREST in Paris and Department of Economics at University of Bergen
- Professor [Greg Shaffer](#), University of Rochester and Department of Economics at Norwegian School of Economics
- Professor [Joseph E. Harrington jr.](#), Wharton School of University of Pennsylvania and Norwegian School of Economics
- Associate professor [Özlem Bedre-Defolie](#), ESMT Berlin and Department of Economics at University of Bergen
- Professor [Odd Rune Straume](#), University of Minho, Braga

In addition, assistant professor Thomas Vinje, Faculty of Law, University of Bergen and chairman emeritus at Clifford Chance has been affiliated with BECCLE.

Doctoral students

At the end of 2022 there are 4 doctoral students affiliated with BECCLE that work on competition law and economics.

- Emil Mathias Strøm Halseth, Department of Economics, Norwegian School of Economics
- Marte Dahl Reisæter, Faculty of Law, University of Bergen
- Alina Ozhegova, Department of Economics, Norwegian School of Economics
- Paula Navarro Sarmiento, Department of Economics, Norwegian School of Economics
- John Sæten Lilletvedt, Department of Economics, University of Bergen

BECCLE conference June 2-3

This year's BECCLE conference was held at the Norwegian School of Economics. There were 3 keynote speakers, 3 invited sessions (with three presentations on each session), and 27 contributed papers. The keynote speakers were the following:

- Pinar Akman (University of Leeds): "Empirical Evidence on Online Platforms Users and Implications for Competition and Regulation in Digital Markets"
- Massimo Motta ((ICREA-Universitat Pompeu Fabra and Barcelona Graduate School of Economics) "Abuses in digital markets"
- Volker Nocke ((University of Mannheim) "Concentration measures and horizontal mergers"

The three invited sessions were organized by Joel Stiebale (Merger evaluation), Pieter Van Cleynenbreugel (Competition

Law and Digital Markets: Vertical Restraints and the Digital Markets Act) and Özlem Bedre Defolie (Abuse/Vertical restraint in digital markets)



Professor Pinar Akman at her keynote speech at the BECCLE conference 2022.

Seminars in 2022

Spring

April 7:

Seminar: '[Sustainability and competition law – a conflict?](#)', Maarten Pieter Schinkel, University of Amsterdam, Ronny Gjendemsjø, UiB/BECCLE, Tina Søreide, The Norwegian Competition Authority and Kristoffer Grøndahl, Thommessen Law Firm.

May 6:

Seminar: '[Bør innkjøpspriser på dagligvarer reguleres?](#)', Espen Moen, BI, Ronny Gjendemsjø, UiB/BECCLE, Øystein Foros, NHH, Karl Munthe Kaas, Oda, Stein Rømmerud, Norgesgruppen og Helge Hasselgård, DLF.

May 24:

Seminar: '[EU merger control](#)', Tomaso Duso, DIW Berlin

June 9:

Seminar: '[Joint purchasing of energy in the EU – competition law barriers and geopolitical implications](#)', Leigh Hancer, University of Tilburg, Ignacio Anchustegui, UiB/BECCLE Lars Sjørgard, NHH/BECCLE and Monica Syrdal, Hjort Law Firm.

Fall

September 1:

Seminar: '[Er fusjonskontrollen for streng?](#)', Heidi Jorkjend,

Thommessen advokatfirma, Eirik Østerud, UiO og Tommy S. Gabrielsen, UiB/BECCLE.

September 28:

Workshop: '[From bid rigging to zero pricing](#)', joint seminar on public procurement with SNF, NHH and UiB.

October 21:

Seminar: '[Market investigation tool in Norway?](#)', Daniel Gordon, CMA in UK, Hans Petter Hanson, The Norwegian Competition Authority and Kristin Hjelmaas Valla, Kvale Law firm.

November 14: '[How are competition cases dealt with in Brussels?](#)', Thomas Vinje, Clifford Chance and Uib and Cecilio Madero, former Acting DG at DG COMP.

Members of public committees and boards

Several of the members have been active in the public debate through work in committees and as board members:

- Lars Sjørgard: Leader of the Energy Commission
- Frode Steen: Member of a committee analysing a possible third runway on Gardermoen airport
- Kurt Brekke: Member of committee to analyse dental health
- Ingrid Barlund: Member of the committee discussing the law of financial regulation
- Halvard Haukeland Fredriksen: Member of committee that analyses the experience with the EEA agreement
- Halvard Haukeland Fredriksen: Leader of the committee that analyses the experience with the law of public procurement
- Malin Arve: Member of the committee that analyses the experience with the law of public procurement

Some research topics

Some research projects that started/was granted in 2022:

Distributional effects of environmental policy: DEEP. ERC Starting grant to Morten Sæthre at NHH from ERC (European research Council)



Cartel Policy in Nordic Countries. Project leader Lars Sjørgard, and project members Ingrid Barlund and Joseph Harrington. Funded by the Norwegian Competition Authority.

Strategic barriers to entry and expansion in grocery retailing. Project leader Morten Sæthre and project member Alina Ozhegova. Funded by the Norwegian Competition Authority.

Methods for detecting illegal cooperation and abuse of dominance applied to the pharmaceutical market. Project leader Kurt Brekke, and project members Odd Rune Straume and Tor Helge Holmås. Funded by The Norwegian Competition Authority.

Publications

Although the physical activity was limited in 2020 and 2021 and we did not publish an annual report, we here report publications for the period 2020-22.

Articles

2022

Friberg, R., F. Steen and S. A. Ulsaker, '[Hump-shaped cross-price effects and the extensive margin in cross-border shopping](#)', American Economic Journal: Microeconomics, 14(2), 2022, 408-438.

Brekke, K. R., D. M. Dalen and O. R. Straume, '[Paying for pharmaceuticals: uniform pricing versus two-part tariffs](#)', Journal of Health Economics, (2022), 83, 102613.

Gabrielsen, T. S., B. O. Johansen and O. R. Straume. '[National pricing with local quality competition](#)', Journal of Economics & Management Strategy, (2022), 1-27.



Reme, Bjørn-Atle, Helene Lie Røhr, and Morten Sæthre. "Inattention in Contract Markets: Evidence from a Consolidation of Options in Telecom." Management Science 68, 2 (2022): 1019-1038.

Juranek, Steffen, Øivind Anti Nilsen, and Simen A. Ulsaker. "Bank consolidation, interest rates, and risk: A post-merger analysis based on loan-level data from the corporate sector." Journal of Competition Law and Economics 18(4), 2022, 771-794.

Arve, Malin, Øystein Foros, and Hans Jarle Kind. "Access price structure and entrant build-or-buy incentives in mobile markets." Journal of Regulatory Economics 61.1 (2022): 67-87.

Barlund, Ingrid Margrethe Halvorsen. "Norwegian fiscal policy as a counter to ESA's authority as financial supervisor", Law and Justice, 2022, 246-266.

Arve, Malin, and Marco Serena. "Level-k Models and Overspending in Contests." *Games* 13.3 (2022): 45.

Arve, Malin, Armando Garcia J. Pires, and Frode Skjeret. "Bidding Competition in the Norwegian Market for Road Maintenance." *Journal of Transport Economics and Policy (JTEP)* 56.4 (2022): 464-487.

Arve, Malin, and Takakazu Honryo. "Wasteful procedures?." *Journal of Economics and Business*, 122 (2022): 106068.

Pires, Armando J. Garcia, and Frode Skjeret. "Screening for partial collusion in retail electricity markets." *Energy Economics* 117 (2023): 106473.

2021

Cosnita-Langlais, Andreea, Bjørn Olav Johansen, and Lars Sørgard. "Upward pricing pressure in two-sided markets: Incorporating rebalancing effects." *International Journal of Industrial Organization* 74 (2021): 102692.

Hvide, Hans K., and Yanren Zhang. "Too big to succeed? Overstaffing in firms." *Journal of Economics & Management Strategy* 30.4 (2021): 784-798.

Lømo, Teis Lunde, and Simen A. Ulsaker. "Lump-Sum Payments and Retail Services: A Relational Contracting Perspective." *The Journal of Industrial Economics* 69.1 (2021): 131-168.

Arve, Malin, and Olga Chiappinelli. "The role of budget constraints in sequential elimination tournaments." *The Scandinavian Journal of Economics* 123.4 (2021): 1059-1087.

Foros, Øystein, Mai Nguyen-Ones, and Frode Steen. "The Effects of a Day Off from Retail Price Competition: Evidence on Consumer Behavior and Firm Performance in Gasoline Retailing." *International Journal of the Economics of Business* 28.1 (2021): 49-87.

Brekke, Kurt R., et al. "Hospital competition in a national health service: Evidence from a patient choice reform." *Journal of health economics* 79 (2021).



Letterie, Wilko, and Øivind A. Nilsen. "Pricing Behaviour and Menu Costs in Multi-product Firms." *Economica* (2021).

Nilsen, Øivind A., Håvard Skuterud, and Ingeborg Munthe-Kaas Webster. "Price change synchronization within and between firms." *Economics Letters* 208 (2021): 110067.

Ronny Gjendemsjø, "Skyldkravet i konkurranseretten: Hva skal forsettet dekke?," *Tidsskrift for forretningsjus*, (2021), s. 234-262.

Ignacio Herrera Anchustegui, Ex Post Assessment of European Competition Policy: Buyer Power in Concentration Cases, in De Valois Turk, Maurice; Herrera Anchustegui, Ignacio, in Komninos, Assimakis; Petit, Nicolas (eds) "Ex Post Evaluation of Competition Cases" (Wolters Kluwer, 2021), p. 97 – 150.

Ignacio Herrera Anchustegui, Extraterritorial Effects of EU Law Over Gas Pipelines: The Case of Gazprom and Nord Stream 2, in Herrera Anchustegui, Ignacio; Rodrigues, Nuno Cunha, in Rodrigues, Nuno Cunha (ed) Extraterritoriality of EU Economic Law (Springer, 2021), 32 pages.

Ignacio Herrera Anchustegui, Is EU Competition Law a Hindrance for Aggregated Demand Response?, in Herrera Anchustegui, Ignacio in Perales Visca, María del Pilar; Robles Martín Laborda, Antonio (eds) *The digital economy: regulatory, contractual and competition aspects* (Tirant Lo Blanch, 2021), p. 299-346.

Gjendemsjø, Ronny. "The liability claim in competition law: What should the pre-set cover?" *Journal of business law*, 2021, 234-262.

Gjendemsjø, Ronny. Indirect losses. *Journal of Jurisprudence*, 2021, 377-409.

Gjendemsjø, Ronny; Østerud, Eirik. Legal commentary on the Competition Act. *Karnov comments on the law*, 2021.

Aarli, Ragna. Independent and impartial courts and judges. *Friends of the law*, 2021, 193-239.

Fjell, Kenneth, and Debashis Pal. "Adjusted repeated myopic use of the inverse elasticity pricing rule." *Journal of Revenue and Pricing Management* (2021): 1-7.

Garcia Pires, Armando J. "Net neutrality and content provision." *The Manchester School* 89.6 (2021): 569-593.

Lommerud, Kjell Erik, Frode Meland, and Odd Rune Straume. "International outsourcing and trade union (de-) centralisation." *Journal of Economic Behavior & Organization* 187 (2021): 76-91.

Konrad, Kai A., and Kjell Erik Lommerud. "Effective climate policy needs non-combustion uses for hydrocarbons." *Energy Policy* 157 (2021): 112446.

2020

Dubois, Pierre, and Morten Sæthre. "On the effect of parallel trade on manufacturers' and retailers' profits in the pharmaceutical sector." *Econometrica* 88.6 (2020): 2503-2545.

Econometrica, Vol. 88, No. 6 (November, 2020), 2503-2545

ON THE EFFECT OF PARALLEL TRADE ON MANUFACTURERS' AND
RETAILERS' PROFITS IN THE PHARMACEUTICAL SECTOR

PIERRE DUBOIS
Toulouse School of Economics

MORTEN SÆTHRE
Department of Economics, Norwegian School of Economics

Mauring, Eeva. "Informational cycles in search markets." *American Economic Journal: Microeconomics* 12.4 (2020): 170-92.

Lømo, Teis Lunde. "Vertical control, opportunism, and risk sharing." *Economics Letters* 191 (2020): 109114.

Cazaubiel, Arthur, et al. "Substitution between online distribution channels: Evidence from the Oslo hotel market." *International Journal of Industrial Organization*, 69 (2020): 102577.

Pires, Armando J. Garcia. "Content Provision in the Media Market with Single-Homing and Multi-Homing Consumers." *Review of Network Economics* 19.1 (2020): 43-83.

Ulsaker, Simen A. "Competing buyers, rent extraction and inefficient exclusion." *International Journal of Industrial Organization* 68 (2020): 102556.

Watson, Joel, David A. Miller, and Trond E. Olsen. "Relational contracting, negotiation, and external enforcement." *American Economic Review* 110.7 (2020): 2153-97.

Steen, Frode, and Eirik Østerud. "Norwegian cartels: Law, policy, registration and practice under the price and competition act between 1954 and 1993." *Oslo Law Review* 7.2 (2020): 84-104.

Eirik Østerud, Ronny Gjendemsjø og Ingrid Margrethe Halvorsen Barlund, "Norwegian Competition Law and Policy & the Digital Economy", rapport for FIDE-kongressen i Haag 2021, Eleven International Publishing, ISBN 978-94-6236-130-0, (2020).

Ingrid Margrethe Halvorsen Barlund, "Commitment Decisions within EU and EEA Competition Law – A Threat to Judicial Review and Effective Private Enforcement?", *Tidsskrift for forretningsjus*, vol. 22, 1, (2020), s. 121-147.

Ignacio Herrera Anchustegui, "Is Hywind Tampen's State Aid Approval a Kickstart for the Norwegian Offshore Wind Industry?", *European State Aid Law Quarterly*. Vol 19/2 (2020). 7 pages.

Ronny Gjendemsjø and Ignacio Herrera Anchustegui, "Regulating the food supply chain in Europe and the Unfair Trading Practices Directive", *Revue Européenne de Droit de la Consommation*, (Vol 2020 (2)), p. 165-188.

Ignacio Herrera Anchustegui, "Buyer Power in Agreements and Abuse of Market Power Cases", in Jenny, Frédéric;

Charbit, Nicolas (eds), 2020 Competition Case Law Digest – A Synthesis of EU, US and National Leading Cases, (Institute de Droit de la Concurrence – Concurrences, 2020), p. 53-66.

Ignacio Herrera Anchustegui and Christian Bergqvist, The role of state aid law in energy, in Hunter, Tina Soliman; Herrera Anchustegui, Ignacio; Crossley, Penelope; Álvarez, Gloria (eds), "Routledge Handbook of Energy Law" (Routledge, 2020), p. 123-139.

Ignacio Herrera Anchustegui and Christian Bergqvist, Uses and abuses of EU competition law in Energy, in Hunter, Tina Soliman; Herrera Anchustegui, Ignacio; Crossley, Penelope; Álvarez, Gloria (eds), *Routledge Handbook of Energy Law* (Routledge, 2020), p. 107-122.

Nilsen, Øivind A., Arvid Raknerud, and Diana-Cristina Iancu. "Public R&D support and firm performance: A multivariate dose-response analysis." *Research Policy* 49.7 (2020): 104067.

Brekke, Kurt R., et al. "How Does The Type of Remuneration Affect Physician Behavior? Fixed Salary versus Fee-for-Service." *American Journal of Health Economics* 6.1 (2020): 104-138.

Barlund, Ingrid Margrethe Halvorsen. "ESA as supervisory authority for financial services in the internal market". *Law and Justice*, 2020, 261-273.

Krokkan, Arne; Aarli, Ragna. The digital judge – About changing work processes in the courts, *Law and Justice*, 2020, 149-166.

Garcia Pires, Armando J., and José Pedro Pontes. "(De) Industrialization, Technology and Transportation." *Open Economies Review* 32.3 (2021): 527-538.

Master theses 2022

Petter M. Homman & Borger B. Thomas, '[Lønnsomhetsvurdering ved omregulering av det norske pengespillmarkedet](#)', Master thesis, Norwegian School of Economics, June 2022.

Håvard Henriksen, '[Bærekraft i konkurranseloven § 10 tredje ledd](#)', Master thesis, Faculty of Law, University of Bergen 2022

Ingeborg Marie Kleppe Øverås, '[Informasjonsutveksling med konkurransebegrensende formål](#)', Master thesis, Faculty of Law, University of Bergen 2022

Fabrice Buhendwa, '[Konkurransebegrensende virkning i konkurranseloven §§ 10 og 11](#)' Master thesis, Faculty of Law, University of Bergen 2022

Emhjellen, M. E., '[Prisgjennomsiktighet i dagligvaremarkedet](#)', Master thesis, Department of Economics, University of Bergen, 2022.

Haug, K., ‘[Oppkjøp av potensielle konkurrenter og “killer acquisitions”](#)’, Master thesis, Department of Economics, University of Bergen, 2022.

Dahle., I. R. and M. L. Ellefsen, ‘[Competition in the Norwegian mortgage market](#)’, Master thesis, Norwegian School of Economics, 2022.

Sårheim, L. P. og E. Nordal, ‘[En komparativ analyse av markedet for mobiltjenester i Norden](#)’, Master thesis, Norwegian School of Economics, 2022.

2021

Dokken, I.H., ‘[Kartellvedtak som bevis i hybrid-saker](#)’, Master thesis, Faculty of Law, University of Bergen, 2021

Brekke, I., ‘[Effekten av prisparitetsklausuler på investeringer](#)’, Master thesis, Department of Economics, University of Bergen, 2021.

2020

Bergh, C. C., ‘[Hvordan påvirkes norske dagligvarebutikker av konkurranse fra en stor internasjonal aktør](#)’, Master thesis, Department of Economics, University of Bergen, 2020.

Dyskeland, O. K., ‘[A Study in Print: Competition in Prices and Quality Between Newspapers and Magazines](#)’, Master thesis, Norwegian School of Economics, 2020.

Evenstad, Ø., ‘[The role of data: A two-sided model of competition between Google and DuckDuckGo](#)’, Master thesis, Norwegian School of Economics, 2020.

Grytting, E. S., ‘[Utviklingen av unntaket for ekte agentavtaler](#)’, Master thesis, Faculty of Law, University of Bergen, 2020.

Helgøy, K. E., ‘[The Switching Cost Puzzle](#)’, Master thesis, Department of Economics, University of Bergen, 2020.

Haagensen, O. H. og Sørli, R. V., ‘[Consequences-of-Competition-and-Proximity-on-the-Stability-in-Banking](#)’, Master thesis, Norwegian School of Economics, 2020.

Kahrs, C. H., ‘[Et forbud mot asymmetriske innkjøpspriser i en modell med etterspørselsøkende investeringer](#)’, Master thesis, Department of Economics, University of Bergen, 2020.

Marøy, H., ‘[Vertikale fusjoner i digitale plattformmarkeder](#)’, Master thesis, Department of Economics, University of Bergen, 2020.

Mørch-Lampe, O. B. A., ‘[Konkurransøkonomiske implikasjoner av overlappende eierskap](#)’, Master thesis, Department of Economics, University of Bergen, 2020.

Rasmussen, H. E., ‘[Virkningskravet ved misbruk av dominerende stilling](#)’, Master thesis, Faculty of Law, University of Bergen, 2020.

Skaathun, H., ‘[Årsaksevne og virkningsanalyse ved misbruk av dominerende stilling](#)’, Master thesis, Faculty of Law, University of Bergen, 2020.

Skuterud, H. og Webster, I. M. M.-K., ‘[Synchronization of Price Changes within Firms and Industries](#)’, Master thesis, Norwegian School of Economics, 2020.

Books, chapters in books and monographs

Halvard Haukeland Fredriksen og Gjermund Mathiesen, EØS-rett, 4. utgave, Fagbokforlaget 2022 (ISBN: 978-82-450-3603-9).

Kristian Strømsnes, Anskaffelsesrettslig “uten virkning”, Cappelen Damm Akademisk 2021 (ISBN 978-82-02-71439-0).

Ingrid Margrethe Halvorsen Barlund, Leniency in EU Competition Law, Wolters Kluwer 2020 (ISBN:9789403517223).



Kristian Strømsnes, Uten virkning” – vilkår for og virkninger av en kontrakt etter en offentlig anskaffelse skjennes “uten virkning”, PhD dissertation, 2020, Faculty of Law, University of Bergen.

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