

# Perspectives on the EU's DMA proposals

AT&T meeting with DG Competition  
3 February 2021

# Agenda

1. Welcome and introductions
2. Outline of AT&T's perspectives on DMA proposals
3. Sample suggestions on enhancement of Art 6
4. Why this matters to AT&T - practical business perspectives

# AT&T Participants

Name	Title	Company	Email
[REDACTED]	[REDACTED]	AT&T	[REDACTED]
		AT&T Services Inc.	
[REDACTED]	[REDACTED]	AT&T	
		AT&T	
		Sidley Austin LLP	

# Outline of AT&T's perspectives on DMA proposals

Issue	Suitability of proposal
• Establishment of clear regulatory framework	
• Definition of scope of core platform services (including advertising services)	
• Definition and scope of “gatekeeper”	
• Fair and easy to apply mechanism to designate gatekeepers	
• Identification of general obligations applicable to all gatekeepers	
• Identification of rule book for specific circumstances	
• Mechanism to ensure swift & fair enforcement of breaches	
• <i>Early and timely</i> mechanism to create individually tailored (per-gatekeeper) remedies	

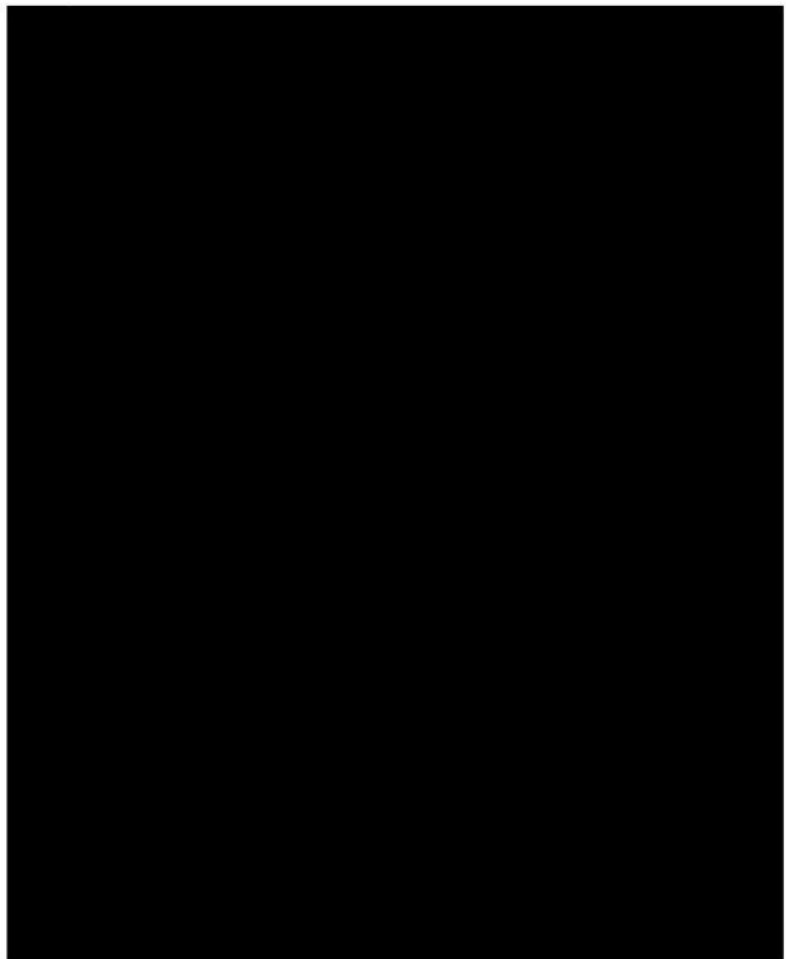
# General Principles Applicable to All Gatekeepers?

- Initial impact assessment suggested “principles -based prohibitions” and “issue specific substantive rules”
- Should DMA include a general statement of principle -based prohibitions that would apply to gatekeepers in all activities impacting competition?
- [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
- Re-frame Article 5 as a statement of general principles?

## Enhancements to list of specific prohibitions?

- List of issue-specific rules in Arts 5 and 6 could be merged and enhanced
- Good recognition of principles in many cases, [REDACTED]  
I [REDACTED]  
I [REDACTED]
- Some sector specific issues addressed [REDACTED]  
[REDACTED]
  - ▶ 5(g) mentions increased transparency regarding prices paid by advertisers and publishers and remuneration to publishers
  - ▶ 6(g) provides for access to performance measurement tools and independent verification rights for advertisers and publishers
- Information and access [REDACTED]

DMA could include high-level principles and/ or specific prohibited conduct to address:



# Example [REDACTED] Problems and Solutions

Issue	Does DMA Resolve?	Example Solution
[REDACTED]	<p>No. None of the measures require [REDACTED]</p>	<p>Art 6 could include obligation to [REDACTED]</p>
[REDACTED]	<p>Likely no. None of the proposed measures clearly require [REDACTED]</p> <p>(Note: per Article 5(f), gatekeepers must refrain from requiring business users to subscribe to any core platform services as a condition to access other core platform services. [REDACTED])</p>	<p>Article 6 could include an obligation to [REDACTED]</p>
[REDACTED]	<p>No. None of the proposed measures would facilitate [REDACTED]</p>	<p>Article 6 could include obligations to: [REDACTED]</p>

