

This page and the subsequent 6 pages have been redacted on the basis that they are irrelevant to this FOI request.



FILE NOTE			
Matter name:	Fuel Retailers Agreement		
ACCC parties	Isabelle ARNAUD, Hien LE, Laura COLMAN, Ingrid ZAPPIA, Lisa KNIGHT, James PENNY Graeme WOODBRIDGE		
TRACKIT No	47759	File No.	
Other parties	The Market Transparency Unit for Fuels of the Bundeskartellamt	Note book Ref.	
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Phone to	<input checked="" type="checkbox"/>	Phone from	<input type="checkbox"/>
		Meeting	<input type="checkbox"/>
		Other	<input type="checkbox"/>

On 16 January 2014, staff members of the ACCC involved in the Fuel Retailers Agreement investigation attended a teleconference with Sandro Gleave, Steffen Hafele of the Bundeskartellamt's Market Transparency Unit for Fuels (MTU).

The operation of the MTU

In Germany, petrol retailers have an obligation to report prices to the MTU in real time within five minutes of any price changes. There is a time extension available for smaller petrol retailers if the reporting would cause an undue burden. The MTU estimated that the extension would apply to nearly 500 small petrol retailers. Apart from the 500 exempted petrol retailers, there are approximately 14,000 petrol retailers that are required by regulation to inform the MTU of up-to-date petrol prices.

There are two ways to report petrol prices to the MTU. Big petrol retailers have their own IT infrastructure to communicate petrol prices to the MTU. Smaller retailers use external service providers to communicate their petrol prices to the MTU. A market has emerged to provide this reporting service on behalf of smaller petrol retailers to the MTU.

Austria has a similar setup to Germany in regards to provision of information to the public about petrol prices, however, the Austrian regulator acts as the service provider and retailers can provide data electronically or by SMS.

The German system was set up after political discussions about petrol prices in 2012. The MTU was created to monitor prices. It was a preferred option (to petrol retailers) to the proposed alternative, being government regulating petrol prices.

The MTU did not create a new IT system for petrol price monitoring but instead added the petrol price software to existing IT infrastructure, used by the Federal Highway Research Institute to monitor traffic congestion and parking patterns. The information collected by the system is then passed along to consumer information service providers who in turn disperse the information to the public. There are a number of consumer information service providers, including motorist associations.

The MTU discussed the commercialisation of the petrol price information and what commercial models existed that demonstrated the ability for various companies to turn a profit on providing that information to the public. This includes the creation of mobile device programs (apps) that consumers can download to access petrol pricing information as well as websites that consumers can access for a fee. MTU gave examples of apps that informed consumers of petrol prices that were supported by ads or by the consumer buying a premium version. MTU also stated that some apps had a subscription model that consumers would pay 1 Euro for in exchange for notifications of when petrol prices were lower. There were also examples of vouchers being provided through the apps to encourage consumers to purchase petrol at various stations.

Use and benefits of pricing data

The MTU said they did not possess conclusive information about how often consumers access MTU data. However the MTU has monitored the downloads of relevant apps in the Apple Store and Google Play which has shown that the apps have been downloaded in excess of 1 million times (Unclear if this is per app or in total). The MTU also said that a consumer survey showed that 2/3 of motorists surveyed had heard of the MTU and 1/4 of motorists surveyed regularly used the petrol pricing apps.

IA asked if retailers could scrape the data for multiple petrol stations from the websites/apps and feed the data into a system. In response, the MTU emphasised that it is a consumer information system not a market information system.

The MTU considered the benefits of the provision of pricing data are that consumers can:

- have access to real-time data
- learn how the market functions. Some consumer service providers have already analysed the pricing data and published their analysis. For example, the Motorist Association published before Christmas that it found petrol prices to be the lowest at 6-7pm.

The MTU noted that it has not analysed the pricing data itself.



