

Heads of Authority Workshop organizado por Fordham Law Institute (5 de septiembre de 2018, Nueva York)

Morning Session on Competition and Big Data.

Big data and screening methods

There is not a magic wand or a magic algorithm that the competition authorities can wave to detect cartels using big data. However, we can obtain information that would help us in assessing the likelihood of the existence of collusion occurring in markets. Screening using big data could tell us where we should look for an infringement.

Today there is a vast amount of information available on the Internet to help us. The real problem is how to detect the useful information, how to gather this information, how to manage it and to know how to use it. This is a complex and controversial task.

Spanish experience

We are still at the beginning of the road. We have established a modest intelligence unit that is looking for useful sources of information and useful ways to process the data.

The first step has been to enhance the detection of bid rigging because there is a lot of structured (and non-structured) public information available. We have contacted different public bodies to obtain this information. We are also using web scraping to gather information available on public websites. The CNMC has now a lot of public information about companies, bids, tenders, etc.

We are currently analysing the information with statistical software and business intelligence programs.

Results

The intelligence gathered and analysed has been used as an essential source of information for dawn raids, to improve our decision-making process and to open ex-officio investigations.

The Competition Directorate has detected one case using this information. However, now we are using it mainly as a complementary tool –but very useful– that supplements other sources of information like complaints, anonymous tip-offs, informants or leniency applications.

Challenges

- It is necessary to have access to more information, and it is also important to increase its quality.
- There is a considerable amount of information available but it is mainly current information. We do not have high quality information about past tenders, markets, losing bids, etc. to be able to make assessments and comparisons with current tenders.
- We need more staff with a high level of expertise on public procurement, competition and business intelligence/data mining.