

**Diana L. Moss**  
**Curriculum Vitae**

Economist and policy expert with senior leadership experience in the non-profit, government, and for-profit sectors. Extensive experience in competition enforcement and policy across major sectors, including food & agriculture, healthcare, transportation, communications, digital, sports, and energy. Demonstrated success in developing and implementing research, education, and advocacy programs to support competition enforcement and policy that benefits consumers, workers, and smaller businesses.

**PROFESSIONAL EXPERIENCE:**

**PROGRESSIVE POLICY INSTITUTE, WASHINGTON DC**

**Vice-President and Director of Competition Policy (2023-present)**

Develop new PPI center on competition advocacy, including policy, antitrust enforcement, and legislation. Integrate PPI's competition advocacy priorities with other areas of the organization's focus and expertise. Lead PPI's work in competition economics, policy, and law in areas including: food & agriculture, healthcare, digital, energy, transportation, sports, and communications. Disseminate opinion and commentary through antitrust and regulatory proceedings, conferences, testimony, and media appearances.

**AMERICAN ANTITRUST INSTITUTE, WASHINGTON DC**

**President (2015-2023)**

Develop, manage, and implement all executive responsibilities relating to fulfilling AAI's mission and developing and implementing AAI's research, education, and advocacy agenda at federal, state, and international levels. Lead organization's work in economic and policy analysis in areas including: food & agriculture, healthcare, digital, energy, transportation, sports, and communications. Disseminate expert opinion and commentary through federal and state antitrust and regulatory proceedings, conferences, congressional, federal, and state testimony, speeches, and media appearances. Other responsibilities include: fundraising and sustainability planning; strategic planning; resource management and operations; Advisory Board management; networking, outreach, and collaborations; and media relations.

**Vice President (2006-2014) and Senior Research Fellow (2001-2006)**

**FEDERAL ENERGY REGULATORY COMMISSION, WASHINGTON DC**

**Office of Markets, Tariffs and Rates (2000–2002) and Office of Economic Policy, Division of Electric Policy (1995–2000)**

Develop, coordinate, and oversee economic, engineering, and legal analysis for electricity utility mergers and market-based rate policy. Team-lead for coordinating with other Commission offices and briefing commissioners on economic analysis and policy recommendations. Serve as liaison with U.S. Department of Justice, Federal Trade Commission, and Department of Energy regarding cross-

jurisdictional competition issues. Brief foreign delegations on regulation, antitrust and industry restructuring and speak on policy issues at industry and academic conferences.

**National Economic Research Associates, Washington DC, Senior Consultant and Senior Economic Analyst (1989-1994)**

Develop economic analysis for client engagements involving broad range of litigation support, including antitrust, regulation, and intellectual property. Develop and draft expert testimony; expert reports and marketing proposals; coordinate teams of research resources; present research at academic and industry conferences.

**TEACHING (ADJUNCT AND AFFILIATED FACULTY):**

**University of Colorado, Boulder, Colorado, Department of Economics (2006–present):**

Principles of Microeconomics, Intermediate Microeconomic Theory, Industrial Organization and Regulation, Antitrust and Regulation.

**Georgetown University, Washington DC, Graduate Public Policy Institute (1990-2005):**

Microeconomic Theory, Economics of Regulation and Deregulation, Antitrust and Public Policy, Tools for Economic Analysis, and Economics of Regulatory Reform.

**EDUCATION:**

Colorado School of Mines, Ph.D., Mineral Economics (emphasis in applied microeconomics and Industrial Organization (regulation and antitrust)).

University of Denver, Graduate School of International Studies, M.A., International Studies (emphasis in international economics and technology assessment).

University of New Mexico, B.A., Political Science (*Magna Cum Laude*).

**AWARDS AND RECOGNITION:**

- Washingtonian Magazine 500 Most Influential (2022 and 2023)
- Global Competition Review Women in Antitrust (2016 and 2021)
- American Bar Association Hall of Fame-inism (2021)
- *Competition Law 360* outstanding woman (2007)
- The Excellence in Teaching Award, Graduate Public Policy Program, Georgetown University
- Risser Award in Mineral Economics, Colorado School of Mines
- Boettcher Fellowship, Colorado School of Mines, Department of Mineral Economics
- James Causey Fellowship, University of Denver, Graduate School of International Studies
- Rosa Roosa Rudin Scholarship in Political Science, University of New Mexico
- Presidential Scholarship, University of New Mexico

## PUBLICATIONS:

Diana L. Moss, *The State of Cloud Technology Markets: Challenges for Competition*, GLOBAL COMPETITION REVIEW (Aug. 29, 2023).

Diana L. Moss, *Realigning Merger Remedies with the Goals of Antitrust*, THE GUIDE TO MERGER REMEDIES, Global Competition Review (August 2023).

Diana L. Moss, *Market Power in Supply Chains*, CPI ANTITRUST CHRONICLE (June 2022).

Riley T. Krotz, Gregory T. Gundlach, Diana L. Moss, *Modernizing Competition Policy and Law: The Impact of Marketing Developments on the Legal Treatment of Price Maintenance in the United States, the European Union, and China*, 44 J. OF PUBLIC POLICY & MKTING (July 2022).

Diana L. Moss, *The Antitrust Revolution: A Microcosm of the Antitrust Enterprise*, 65 THE ANTITRUST BULL. (December 2020).

Diana L. Moss, *Consolidation and Concentration in Agricultural Biotechnology: Next Generation Competition Issues*, CPI ANTITRUST CHRONICLE (January 2020).

Diana L. Moss, *Breaking Up Is Hard to Do: The Implications of Restructuring and Regulating Digital Technology Markets*, THE ANTITRUST SOURCE (October 2019).

Diana L. Moss, *Alliances and Antitrust Immunity: Why Domestic Airline Competition Matters*, 32:1 THE AIR & SPACE LAWYER (2019).

Diana L. Moss, *Merger Policy and Rising Concentration: An Active Agenda for Antitrust Enforcement*, 33(1) ANTITRUST Vol. 68 (Fall 2018).

Diana L. Moss, *Realigning Merger Remedies with the Goals of Antitrust*, THE GUIDE TO MERGER REMEDIES, Global Competition Review (August 2018).

Gregory T. Gundlach and Diana L. Moss, *Non-Price Effects of Mergers: Introduction and Overview*, 63:2 ANTITRUST BULLETIN 155 (Winter 2018).

Diana L. Moss with C. Robert Taylor, *Short Ends of the Stick: The Plight of Growers and Consumers in Concentrated Agricultural Supply Chains*, WISCONSIN LAW REVIEW 337 (2014).

Diana L. Moss, *Competition, Intellectual Property Rights, and Transgenic Seed*, 58 SOUTH DAKOTA LAW REVIEW 543 (2013).

Diana L. Moss with John Kwoka, *Behavioral Merger Remedies: Evaluation and Implications for Antitrust Enforcement*, 57 ANTITRUST BULLETIN 979 (Winter 2012).

Diana L. Moss, *Transatlantic Airline Alliances: The Joint EU--U.S. Report*, 2 JOURNAL EUROPEAN COMPETITION AND LAW PRACTICE 391 (August 2011).

Diana L. Moss with Gregory Gundlach, *Systems Competition and Challenges to Antitrust Thinking: an Introduction*, in the symposium issue: “New Perspectives on Systems Competition,” (Diana L. Moss and Gregory Gundlach, eds.) 56 ANTITRUST BULLETIN 1 (Spring 2011).

Diana L. Moss, *Competition and Transgenic Seed Systems*, in the symposium issue: “New Perspectives on Systems Competition,” 56 ANTITRUST BULLETIN 81 (Spring 2011).

Diana Moss, *Regional Sports Networks, Competition, and the Consumer*, (2<sup>nd</sup> ed.) Chapter 8 in THE BUSINESS OF SPORTS (Scott R. Rosner and Kenneth L. Shropshire, eds.), Jones and Bartlett Learning (2011).

Diana L. Moss, *Transgenic Seed: The High Technology Test of Antitrust?* 2 THE CPI ANTITRUST JOURNAL (April 2010).

Diana Moss with Yong Huang, Shan Jiang, and Randy Stutz, *China’s 2007 Anti-Monopoly Law: Competition and the Chinese Petroleum Industry*, 312 ENERGY LAW JOURNAL 337 (2010).

Diana L. Moss with John E. Kwoka, Jr., *Competition Policy and the Transition to a Low-Carbon, Efficient Electricity Industry*, 23 THE ELECTRICITY JOURNAL 6 (2010).

Diana L. Moss. *Natural Gas Pipelines: Can Merger Enforcement Preserve the Gains from Restructuring?* in COMPETITION POLICY AND MERGER ANALYSIS IN DEREGULATED AND NEWLY COMPETITIVE INDUSTRIES (Peter Carstensen and Beth Farmer, eds.) Edward Elgar (2008).

Diana Moss. *Regional Sports Networks, Competition, and the Consumer*, 21 LOYOLA CONSUMER LAW REVIEW 56 (2008).

Diana L. Moss with James Reitzes. *Airline Alliances and Systems Competition*. 45 HOUSTON LAW REVIEW 293 (Symposium 2008).

Diana L. Moss. *Antitrust Versus Regulatory Merger Review: The Case of Electricity*, in 32 REVIEW OF INDUSTRIAL ORGANIZATION 241 (May 2008).

Diana L. Moss. *The Petroleum Industry, Merger Enforcement, and the Federal Trade Commission*, 53 ANTITRUST BULLETIN 203 (Spring 2008).

Diana L. Moss. *Balance of Power*, 44 THE DEAL 22 (November 13, 2005).

Diana L. Moss. *Electricity and Market Power: Current Issues for Restructuring Markets (A Survey)*, 1 ENVIRONMENTAL & ENERGY LAW & POLICY JOURNAL 11 (2005).

Diana L. Moss. *Lessons Learned and Policy Recommendations*, in NETWORK ACCESS, REGULATION, AND ANTITRUST (Diana L. Moss, ed.). London: Routledge (2005).

Diana L. Moss. *Competition or Reliability in Electricity? What the Coming Policy Shift Means for Restructuring*, 17 ELECTRICITY JOURNAL 11 (March 2004).

Diana L. Moss with Albert Foer. *Electricity in Transition: Lessons Learned for Regulation and Antitrust*, 23 ENERGY LAW JOURNAL 89 (2003).

Diana L. Moss. *An Electrifying Transition*, 26 LEGAL TIMES 38 (May 5, 2003).

Diana L. Moss. *Promoting Competition in the U.S. Electricity Industry: What are the Big Policy Issues?* 15 ELECTRICITY JOURNAL 19 (April 2002).

Diana L. Moss with John Cuddington. *Depletion, Technological Change, and the U.S. Petroleum Industry*, 91 AMERICAN ECONOMIC REVIEW 1135 (2001).

### **TESTIMONY AND EXPERT REPORTS:**

Before the U.S. Senate, Commerce and Transportation Committee on Commerce, Science & Transportation, *Enhancing Consumer Protections and Connectivity in Air Transportation* (March 23, 2023).

Before the U.S. Federal Trade Commission, *Future of Pharma Workshop, Multilateral Pharmaceutical Task Force*, Docket No. FTC-2021-0025 (June 14, 2022).

Before the U.S. House of Representatives, Committee on Small Business, *Competition and the Small Business Landscape: Fair Competition and a Level Playing Field* (March 1, 2022).

Before the U.S. Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition and Consumer Rights, *Consolidation, Monopolies, and Innovation* (December 15, 2020).

Before U.S. District Court for the District of Columbia, in *United States v. CVS Health Corp., and Aetna, Inc.* (Case No. 1:18-cv-02340-RJL), Antitrust Penalties and Procedures Act, on behalf of consumer groups (June 4, 2020).

Before the U.S. Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition and Consumer Rights, *Competition in Digital Technology Markets: Examining Acquisitions of Nascent or Potential Competitors by Digital Platforms* (September 24, 2019)

Before the California Department of Insurance, Investigatory Hearing Regarding the Proposed Merger of Aetna and CVS Health (June 19, 2018).

Before The United States Senate Committee On The Judiciary, Subcommittee On Antitrust, Competition And Consumer Rights, *The Consumer Welfare Standard in Antitrust: Outdated or a Harbor in a Sea of Doubt?* (December 13, 2017).

Before The Senate Judiciary Committee, *Consolidation And Competition in the U.S. Seed and Agrochemical Industry*, (September 20, 2016).

Before the Senate Judiciary Committee Subcommittee on Antitrust, Competition Policy and Consumer Rights, *Ensuring Competition Remains on Tap: The AB InBev/SABMiller merger and the State of Competition in the Beer Industry*, Washington DC (December 8, 2015).

Before the Public Utilities Commission of the State of Colorado, Expert Report, in the Matter of the Application for Authority to Transfer Control of Certificate of Public Convenience and Necessity No: 1481 From Mkbs Llc, Doing Business as, Metro Taxi, to Super Taxi, Inc., Docket No.13a-0892cp-Xfer, Denver, CO (February 21, 2014).

Before the Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy and Consumer Rights, United States Senate, *The American Airlines/US Airways Merger: Consolidation, Competition, and Consumers*, Washington DC (March 2013).

Before the Joint Economic Committee, United States Senate, *Gas Prices in the Northeast: Potential Impact on the American Consumer Due to Loss of Refining Capacity*, Washington DC (April 26, 2012).

Before the Committee on the Judiciary, United States Senate, *The Southwest/ AirTran Merger and its Impact on M-7 Businesses, Consumers and the Local Economy*, Milwaukee, WI (February 25, 2011).

Before the Public Utilities Commission of the State of Colorado, Expert Report, in Application of Union Taxi Cooperative for a Certificate of Public Convenience and Necessity to Operate as a Common Carrier by Motor Vehicle for Hire, Docket No. 08A-241CP, Denver, CO (September 29, 2008) (semi-*pro bono*).

Before the Public Utilities Commission of the State of Colorado, Joint Statement of Support (With Peter Carstensen), in the Application of Union Taxi Cooperative for Temporary Authority to Operate a Taxi Service, Docket No. 08A-241CP, Denver, CO (June 16, 2008).

Before the Joint Economic Committee, United States Senate, *Is Market Concentration in the U.S. Petroleum Industry Harming Consumers?* Washington, DC (May 23, 2007).

Before the Federal Energy Regulatory Commission, Technical Conference on Public Utility Holding Company Act of 2005 and Federal Power Act Section 203 Issues, Washington, DC (March 8, 2007).

Before the Antitrust Modernization Commission, Hearings on Regulated Industries, Washington, DC (December 5, 2005).

Before the State of New Jersey Board of Public Utilities, Surrebuttal Testimony on behalf of NJPIRG Citizen Lobby, Inc., in the Joint Petition of Public Service Electric and Gas Company and Exelon Corporation for Approval of a Change in Control of Public Service Electric and Gas Company and Related Authorizations, BPU Docket No. EM05020106, OAL Docket No. PUC-1874-05, Newark, NJ (December 23, 2005).

Before the Federal Energy Regulatory Commission, Technical Conference on Market-Based Rates for Public Utilities, Docket No. RM04-7-000, Washington, DC (June 9, 2004).

## **MAJOR TELEVISION AND RADIO APPEARANCES:**

NPR Morning Edition, Consumer advocates want the DOJ to move against JetBlue-Spirit merger, (March 2, 2023).

CNBC, Why Live Nation and Ticketmaster dominate the live entertainment industry (January 25, 2023).

NPR 1A, Does Ticketmaster Have a Monopoly on Live Events? (November 22, 2022).

PBS News Hour, Taylor Swift Ticket Sale Problems Spark Widespread Criticism of Ticketmaster, (November 16, 2022).

CSPAN, The Communicators: Roundtable on AT&T Time Warner Merger (June 13, 2018).

Heritage Radio Network, Episode 255: Antitrust Litigation in an Era of Monopoly, What Doesn't Kill You; Food Industry Insights (April 8, 2018).

CNBC Nightly Business Report, Are Mergers Good for Consumers? (July 7, 2015).

Sirius/XM Progress: Progressive Talk Radio (Channel 127), with Mark Walsh and Jonathan Aberman), on Antitrust issues and Comcast-TWC (March 2013).

NPR Morning Edition, US Airways-AA merger (June 2013).

Fox Business Markets Now, US Airways-AA merger (March 2013).

CNBC Closing Bell, US Airways-AA merger (August 2012).

## **PROFESSIONAL AFFILIATIONS:**

Editorial Board, Competition Policy International  
Advisory Board Member, School of Law, Loyola University Chicago, Institute for Consumer Antitrust Studies