

Dear Road Fuel Remedies Team,

I set out below, on behalf of Moto Hospitality Limited (“Moto”), its responses to the CMA’s consultation on its guidance relating to the exercise of its new information gathering powers under the Digital Markets, Competition and Consumers Act 2024, in relation to the CMA’s road fuel monitoring function.

**1. Do respondents agree with our proposed approach that ongoing information requested cover: (i) supermarkets; (ii) motorway retailers with five or more sites; and (iii) other retailers with 80 or more PFS sites across their group? If not, who do you believe we should be requesting information from?**

In relation to (ii), we would submit that the CMA should, when collecting and reporting on the data, distinguish between PFSs located at motorway service areas, and PFSs operated by retailers who also operate MSAs but where they are not necessarily located on the Strategic Road Network, so that the CMA will be comparing like-for-like. For example, ☒ which operates PFSs ☒ which are located off-motorway, in addition to those located at ☒ motorway service areas, so it will presumably blend its costs across its national network of sites, which would not provide a like-for-like comparison with other motorway service operators.

In relation to (iii), it would be helpful to understand the CMA’s rationale for adopting a cut-off point of 80 PFS sites as this will mean that sizeable players, such as ☒, would be excluded.

**2. Do respondents agree with our proposal for retailers to submit monitoring information to us on a quarterly basis rather than more frequently? If not, please detail your preferred reporting frequency and why.**

We agree with the CMA’s proposal to submit monitoring information on a basis no more frequently than quarterly (and would even suggest a half-yearly basis would be preferable and sufficient), as this will otherwise be overly burdensome for retailers.

**3. Do respondents agree that data required for a specific month or quarter should be provided by the 15th day of the second month following that period? If not, please explain your preferred timing of submissions and why.**

We agree that providing information by the 15th day of the second month following that period should provide retailers with sufficient time within which to respond. The CMA may need to allow extra time for responding to the first information request if a company needs to reformat how it reports, to comply with the information request.

**4. Are there any other issues or information the CMA should include in the guidance we will publish on exercising our information gathering powers for our motor fuel monitoring function?**

We submit that the forthcoming CMA guidance needs to be clear on the type of data being requested and format.

**5. Do respondents agree that an online portal should be set up and used as a way of as a way for retailers to submit data for the road monitoring function? If so, are there any particular features you would like the CMA to consider, if it is developed?**

We submit that it may be helpful to submit responses via an online portal, provided that it is easy to navigate. It will also depend what format the data needs to be provided in, and how much work a retailer needs to undertake so its reporting format is consistent with that requested by the CMA. It would be useful to be able to save responses in draft before submission.

Please can you confirm safe receipt.

Kind regards,

Amy

Amy Procter

Legal Director

Moto Hospitality Ltd