

easyJet's Response to the CMA Consultation on the Proposed Decision and Roadmap

easyJet fully supports the objectives of the DMCCA in regulating firms with Strategic Market Status (SMS) to promote more effective competition and enhance consumer protection. We welcome the CMA's open and constructive engagement with stakeholders throughout the SMS investigation into Google's general search services. We remain committed to contributing constructively, particularly by sharing insights from the EU's DMA implementation, where we believe there are valuable lessons to be learned—especially regarding the challenges consumers are facing in the flight search experience.

As outlined in our previous correspondence—specifically our letters dated 20 March and 10 June 2025—we have highlighted several areas where the DMA's current format may inadvertently limit consumer choice or reduce transparency in flight search experiences. These insights are intended to be replicated and integrated into this response to support the CMA's ongoing assessment and to encourage a balanced, evidence-based approach under the DMCCA framework.

We look forward to continuing our constructive engagement with the CMA and remain available to provide further input as needed.

1. The DMCCA's Flexible and Effects-based framework

We recognise that the DMCCA diverges from the DMA in important ways, particularly in its more flexible approach to ensuring fair treatment across digital platforms.

Unlike the DMA – which contains a blanket prohibition on self-preferencing in ranking, indexing, and crawling – the DMCCA takes a more flexible and effects-based approach, empowering the CMA to tailor conduct requirements and pro-competition interventions for each SMS firm, rather than applying a standard set of rules. Under the DMCCA, self-preferencing is not automatically prohibited. Instead, the DMCCA provides more flexibility through tailored codes of conduct and the consideration of countervailing benefits. This means that a platform's preferential treatment of its own services may be permissible if the conduct:

- Provides substantial benefits to users;
- Is proportionate and essential to achieving those benefits; and
- Does not significantly reduce or eliminate effective competition.

This approach enables the CMA to consider the economic context and potential procompetitive effects of the conduct. This effects-based model gives the CMA more discretion to balance innovation and fairness.

With this in mind, we believe that it is crucial that any exercise of the CMA's discretion under the DMCCA carefully considers the potential impact on user experience. Regulatory interventions should aim to preserve – if not enhance – the quality, functionality, and intuitiveness of digital services. Maintaining a high-quality, transparent, and user-centric search experience should remain a guiding principle in the design and enforcement of any future measures.

2. Preserving User Experience through Proportionate Regulation

The CMA's roadmap suggests that Google's display of its own specialized search services on the SERP will be considered as a Category 2 measure, from the first half of 2026. However, the Roadmap

also suggests that the CMA intends to address this more broadly under the fair ranking principles (treated as Category 1 measures, from October 2025).

As regards Google Flights, we strongly believe that its display in SERP should not be subject to any type of regulatory intervention, as it currently i) provides substantial benefits to users, ii) is proportionate and essential to achieving those benefits, and iii) does not significantly reduce or eliminate effective competition.

Airlines offer a distinct product: an offer to book a seat on a specific route for a specific date and time and at a specific price. Because of this, it is essential that consumers are able to refine their search criteria to find the most relevant and accurate options that meet their individual needs.

Refined search functionality—such as filtering by date flexibility, price, airline, or connection type—not only improves the user experience but also empowers passengers to make informed decisions about where and how to book. Whether they choose to complete their booking through a metasearch engine (MSE), an online travel agency (OTA), or directly with an airline, consumers benefit from having full visibility of the market.

Preserving this level of functionality is critical to ensuring transparency, competition, and consumer choice in the digital travel ecosystem.

3. Google Flights: A High-Standard Metasearch Engine (MSE)

Google Flights already delivers:

- Accurate, real-time pricing
- Flexible date options
- Transparent, unbiased listings from across the market.

These features enable consumers to make well-informed, confident decisions and access the full range of available options. The platform competes directly with other MSEs such as Skyscanner and KAYAK, all of which serve as comparison tools rather than vendors.

In fact, Google Flights operates as a Metasearch Engine (MSE), providing users with a high standard of flight search functionality. It aggregates flight information from a wide range of sources—including both airlines and online travel agencies (OTAs)—and presents an unbiased, real-time view of prices and availability. Users are then redirected to the relevant provider's website (either an airline or an OTA) to complete their booking.

This model is distinct from that of OTAs, which act as vendors. Unlike MSEs, OTAs offer both booking capabilities and often bundle flights with additional travel services. When consumers search for flights on an OTA, they are only presented with prices available through that OTA rather than the full range of fares in the market. As a result, OTAs do not provide the same breadth of market coverage as MSEs, nor the same pricing options.

4. The importance of accurate and transparent pricing

As said, with the aim of delivering better outcomes for consumers in mind, we believe it is essential that any regulatory intervention does not degrade the user experience or result in a less functional or inferior product. Preserving a high-quality, intuitive, and transparent search experience must remain a central consideration in any future design or enforcement action.

Accurate, real-time data feeds—delivered via B2B APIs—are critical to ensuring consumers receive up-to-date pricing and availability information. These APIs are purpose-built to support high-volume, reliable data exchange between platforms and suppliers.

In contrast, screen-scraping (or crawling) is an outdated and inefficient method that poses serious risks: it can overload airline websites, degrade performance, and deliver inaccurate or outdated results to users. Moreover, scraping is fundamentally incompatible with easyJet's (and most airlines) distribution model and undermines the integrity of the consumer experience. We strongly urge the CMA to support structured, permission-based data access as the foundation for any future regulatory framework.

5. Conclusion: Preserving User Experience and Consumer Focus

Given that Google Flights already provides a high-quality, pro-consumer service, we respectfully request the CMA to:

- 1) Recognise the distinct role of MSEs and the consumer benefits they deliver; and
- 2) Preserve the current functionality of Google Flights without intervention, using its discretion under the DMCCA to consider the countervailing benefits.

Preserving the current model will ensure that consumers continue to benefit from transparent, comprehensive, and user-friendly flight search tools, in line with the DMCCA's objectives of promoting fair competition and consumer welfare.