

April 2, 2007

By electronic mail: Markt-F2@cec.eu.int

European Commission
DG Internal Market and Services
Rue de la loi 200
1049 Brussels
BELGIUM

RE: DG Internal Market and Services Working Document on storage of regulated financial information in relation to issuers whose securities are admitted to trading on a regulated market, Ref: Working Document ESC/10/2007 rev. 1

Ladies and Gentlemen:

Bloomberg L.P. (“Bloomberg”) welcomes and appreciates the opportunity to comment on the working document issued by DG Internal Market and Services (the “DG Internal Market”), entitled “Working Document on storage of regulated financial information in relation to issuers whose securities are admitted to trading on a regulated market” (Working Document ESC/10/2007 rev. 1), of March 2007.

We support DG Internal Market’s initiative to facilitate the implementation of the Directive 2004/109/EC (“Transparency Directive”), in relation to the storage of regulated information. DG Internal Market’s consultation on the Transparency Directive is timely and correctly anticipates issues that must be considered and addressed in preparing for the storage of regulated information. We commend DG Internal Market for its consideration of a storage mechanism structure that allows for sufficient flexibility and scalability with the final objective of offering a “one-stop-shop” for end users.

To this end, we respectfully submit that to accomplish the goals of the Transparency Directive, and DG Internal Market’s aim to create a pan-European storage facility, will necessitate avoiding a “patchwork” of different transparency requirements and avoiding disparate standards for storage mechanisms. To promote integration and efficiency of the European securities markets, we encourage DG Internal Market to ensure the uniform implementation in Member States of sufficient minimum standards to be observed by storage mechanisms. To that end, we respectfully emphasize the importance of common guidance on (1) the registration requirements for storage mechanisms, (2) seamless coordination and communication between and among these mechanisms and (3) the technical requirements and

standard protocols for operating storage mechanisms in each of the Member States. On the whole, DG Internal Market's proposals provide a useful opportunity for all market participants to offer input on guidance in these critical areas and Bloomberg would welcome the opportunity to participate on a more significant level in this initiative.

In this regard, Bloomberg has significant experience as a nationally recognized storage mechanism for municipal securities information in the United States as an NRMSIR (Nationally Recognized Municipal Securities Information Repository). Bloomberg has served as one of four nationally recognized NRMSIRs designated by the U.S. Securities and Exchange Commission since 1990. Bloomberg's NRMSIR service currently makes municipal material event notices, official statements, financial filings and other public municipal documents available to both BLOOMBERG SERVICE subscribers and nonsubscribers for a fee. As evidenced by Bloomberg's long-standing participation in, and provision of, this service, Bloomberg is committed to the principles of increasing transparency in the marketplace.

Furthermore, we recognize the interrelation between and among the Transparency Directive and Directive 2003/71/EC *on the prospectus to be published when securities are offered to the public or admitted to trading* ("Prospectus Directive"), Directive 2004/25/EC *on takeover bids* ("Take-over Directive") and other securities markets law in the European Union, in providing additional regulated information that could be stored in a pan-European storage mechanism. We respectfully recommend that DG Internal Market establish uniform standards and protocol for storage mechanisms to maintain all regulated information required under the respective EU Directives and securities markets law. If the initiative is to be successful common guidance should be coordinated with each of the Member States in respect of the types of regulated and other information that are to be contributed to, and maintained by, a pan-European storage mechanism.

We would appreciate additional guidance from DG Internal Market as to (a) the scope of regulated information that will be required of issuers and other market participants to be stored in a storage mechanism, (b) whether such scope will be flexible enough to allow for inclusion of new categories of financial instruments and securities which require documentation, e.g., loans, derivatives, structured notes, collateralized private securities and others and (c) the timing of this determination within the consultation process. The creation of a pan-European repository for all investor-related information required under various Directives would facilitate DG Internal Market's goal of "one-stop shopping" for investors and other end users, and provide a necessary transparency tool in the European Union securities markets.

We suggest that a competitive, pan-European storage mechanism model derived from the private sector would best suit the interests and needs of competent authorities, issuers and investors to provide end users with "easy access" to the regulated information required under the Transparency Directive and other relevant European Union directives. Reliance on the private sector, and on market forces, would facilitate innovation and efficiency. The provider of a pan-European system could offer both a local Official Appointed Mechanism solution to individual Member States and provide a common pan-European hub. Member States could then

be given the freedom to appoint the appropriate market players to provide the relevant storage systems.

We respectfully recommend that the European Commission not embrace the pricing principle DG Internal Market stated in Part B, Section 3.2.2, that access to the regulated financial information in its raw format should be free of charge to investors. As a practical matter, a market-driven solution would imply the need to have the information accessible at affordable prices for end users and not free of charge. In view of the costs associated with the development, implementation, maintenance and administration of storage mechanisms, free access is commercially unrealistic.

Section 3.2.2 envisions reliance on a type of subsidization. It emphasizes that pricing policies and fee-charging by storage mechanisms would be permitted only for the “value-added” services provided in addition to the storage of regulated information. The effect of these principles would be to require storage mechanisms to look to their value-added services to recover not only the costs of those services but also the cost of storing and providing the regulated information to the same parties or to others. That would give an unfair subsidy to those who sought to obtain only the regulated information and it would correspondingly, and unfairly, burden the purchasers of the value-added services. While we support the DG Internal Market principle that the information in storage mechanisms should be accessible at affordable prices for end users, we believe this can and should be accomplished without requiring that any services be provided for free.

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We appreciate the opportunity to make our views known to DG Internal Market and Services. If you have any questions or would like to discuss our views with you further, please let us know.

Respectfully submitted,

Heather Walker by R.D.B.