Kevin Counsell is an expert in environmental economics, competition, regulation, and damages. For over two decades and across hundreds of projects, he has provided analysis in high-stakes matters, balancing economic rigor with clarity of expression. Mr. Counsell provides expert evidence, testimony, and reports that distill complex economic principles into concise, compelling, and robust analysis.

Mr. Counsell has served as an expert witness before the New Zealand Environment Court and independent hearings panels. He has filed expert reports with regulators, government agencies, councils, and competition authorities across a wide range of geographies, including New Zealand, Australia, the UK, and Asia. His insights and analysis are valued by key decision makers, with his work proving instrumental in assisting clients in mergers, urban developments, damages assessments, policy appraisal, and utility regulation.

On environmental and resource management matters, Mr. Counsell has regularly advised on urban development and environmental policy issues. He provides economic analysis for planning and consenting of residential, commercial, and industrial developments. His recent case experience includes economic analysis for transport infrastructure, agriculture, marine reserves, mining, aquaculture, and policy design for the water and wastewater sectors.

Mr. Counsell has extensive experience in competition, regulation, and damages. He advises clients on mergers and acquisitions, market studies, and other antitrust matters. He has provided economic advice to utility companies and regulators on the design and operation of regulated pricing frameworks across a host of industries, including telecommunications, post, electricity, gas, water, and airports. Mr. Counsell has also quantified damages in claims related to product misrepresentation, overcharging, negligence, and indigenous land takings (before New Zealand’s Waitangi Tribunal).

Mr. Counsell has published numerous white papers and peer-reviewed journal articles and is a regular conference speaker and panelist.

**Education**
MCA in economics, with Distinction; Victoria University of Wellington
BCA in economics, with Honours (First Class), Victoria University of Wellington
BSc in mathematics, Victoria University of Wellington

**Publications**
- *Competition Law and Regulation in New Zealand*
- *The Demise of Effects-Based Resource Management: What Went Wrong with Internalizing the Externality?*
- *Setting Water Permit Durations: The Long and Short of It*
- *EECI Industry Economics White Paper Series*
- *Fast-Tracking Projects for New Zealand’s COVID-19 Recovery: The Role of Economic Analysis*
• Failing Firm Merger Analysis in the Shadow of COVID-19
• Resource Management System Review: Submission on the Issues and Options Paper
• NERA Letter to the Reserve Bank of New Zealand
• Privacy Versus Views: A Law and Economics Approach to Balancing Conflicting Urban Values
• Using Price Signals to Better Manage Water Use
• Can’t Get No Satisfaction? Measuring Economic Wellbeing Under the RMA
• Quantifying Benefits and Costs under the Resource Management Act: Lessons from Commerce Commission
  Decision-Making
• A Cross-Sector and Cross-Country Review of Approaches to Transitioning to Markets
• Objective RMA Decision-Making: Cost Benefit Analysis as an Economic and Practical Framework
• An Assessment of the DIRA Triggers
• The Impact of the Zespri Kiwifruit Export Monopoly on Innovation Incentives

Practice Areas
Antitrust and Competition
Communications, Media, and Internet
Environmental Economics
Regulatory Economics

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NERA Economic Consulting (www.nera.com) is a global firm of experts dedicated to applying economic, finance, and
quantitative principles to complex business and legal challenges. For over half a century, NERA’s economists have been
creating strategies, studies, reports, expert testimony, and policy recommendations for government authorities and the world’s
leading law firms and corporations. With its main office in New York City, NERA serves clients from more than 25 offices
across North America, Europe, and Asia Pacific.