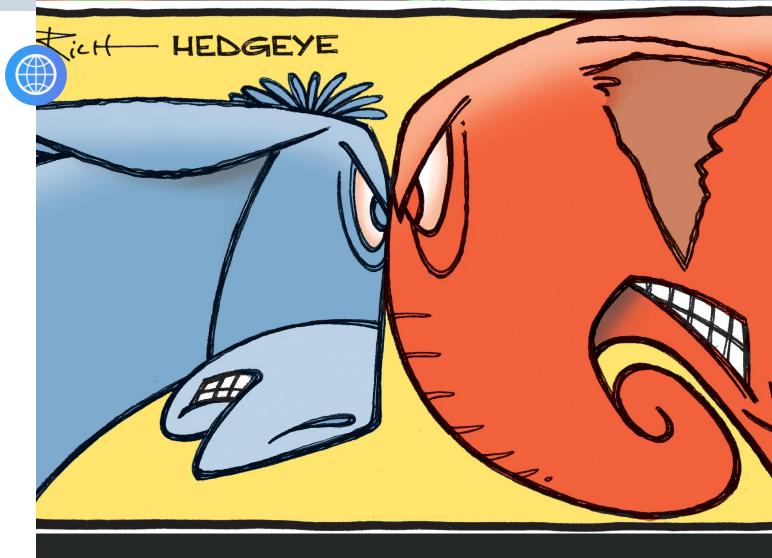
### POTOMAC RESEARCH GROUP BY HEDGEYE

# **SURVIVAL POLITICS:**

HOW DOES THE 2024 ELECTION CHANGE THE INVESTMENT ENVIRONMENT?

MAY 2, 2024



#### MACRO/TMT/HEATHCARE

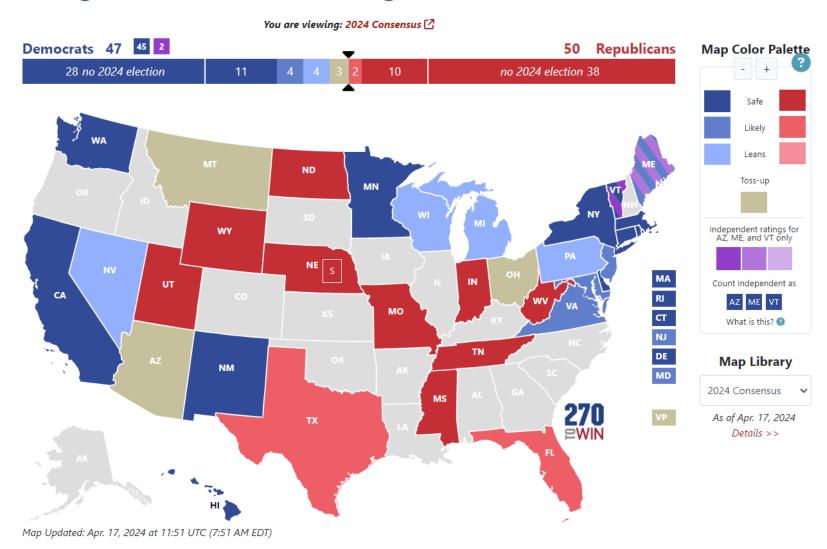
Taylor

Glenchur

Evans

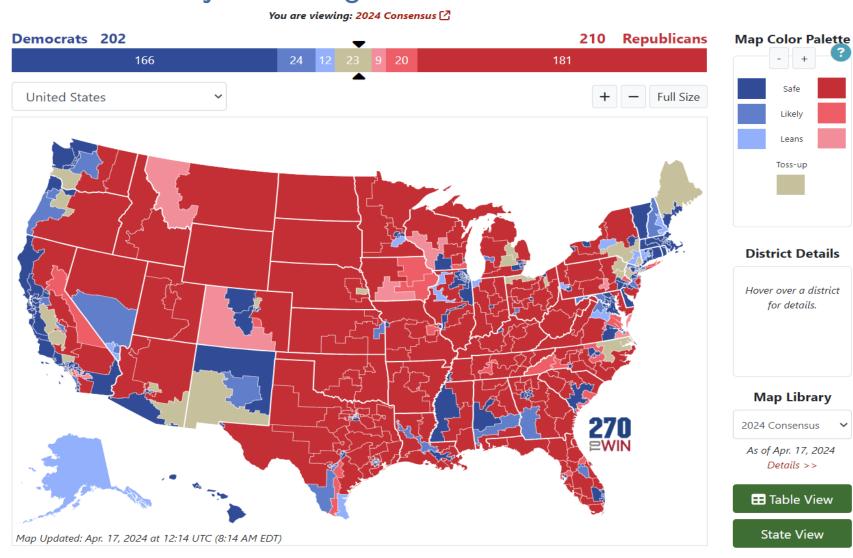
#### SENATE VERY LIKELY TO FLIP REPUBLICAN...

W VA All But Certain to go R: Red States Are Battlegrounds For Control of Senate



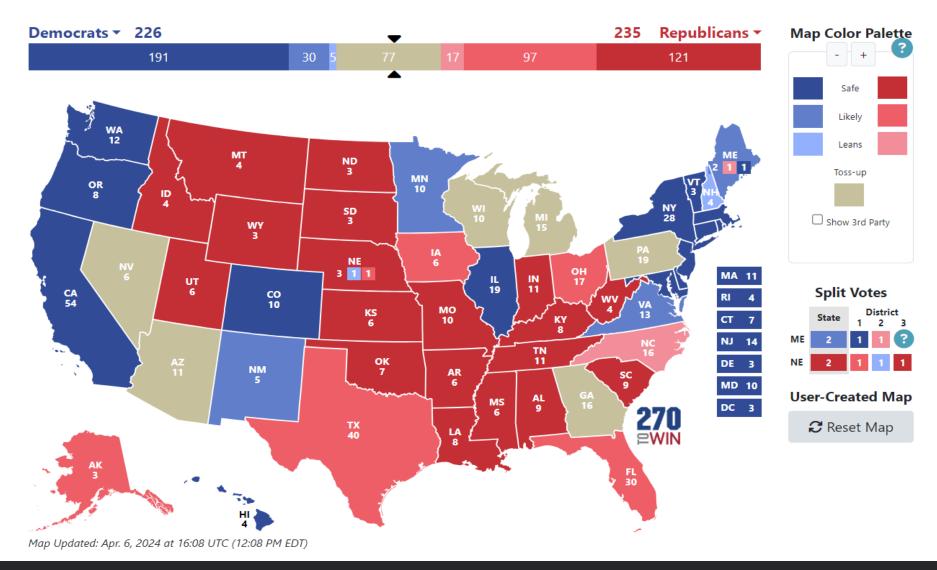
#### ...AND THE HOUSE PROJECTED TO FLIP TO DEMS

#### CA | NY | NJ - Blue States May Be Deciding Factor



#### 2024 PRESIDENTIAL --> 2020 REPEAT?

#### ELECTORAL COLLEGE VIRTUALLY TIED. WI/PA/AZ/GA/NV/MI + NC



# 2025 WILL USHER IN POLICY EXPOSURE + UNPREDICTABILITY NO MATTER WHO IS IN THE WHITE HOUSE

# The 2024 Election: Will the Outcome Boost or Inhibit Tech Platform Growth?

Paul Glenchur (TMT and Legal Policy) pglenchur@hedgeye.com

May 2, 2024











PotomacResearch Group

by Hedgeye

# AI Drives Cloud Growth and Innovation (MSFT, AMZN, GOOGL)

- Cloud infrastructure leaders Microsoft Azure, Amazon AWS and Google cloud are poised to extend leadership to AI deployments and applications (AI Infrastructure as a Service). Leaders have data, compute capacity, skilled workforce, and access to capital.
- Oracle and IBM also positioned to benefit
- Massive revenue growth ahead 60% CAGR in AI Infrastructure revenues; \$247 Billion by 2032 (Bloomberg Intelligence guesstimate, June 2023)
- Investments and partnerships expand AI opportunities for dominant cloud providers
- BUT: Regulators fear vertical relationships will distort innovation and competition, allowing cloud incumbents to extend market power, entrench dominance and contour innovation to their competitive benefit, foreclosing entry by disruptive innovators.
  - Regulatory resistance and potential challenge to cloud provider investments in foundation models (Microsoft/OpenAl; Amazon and Google investments in Anthropic)
  - Cloud provider strategic investments are legal, but enforcers may creatively stretch the law

# **Biden Tech Policy Priorities**

- Competition Policy Objective: Prevent dominant tech platforms from entrenching market power in the transition to AI products and services
- Push legislation to regulate AI; Potential creation of federal agency to regulate tech platforms
- Pursue enforcement agenda supporting more aggressive interpretation of existing antitrust laws, including ambitious liability theories embodied in new antitrust merger guidelines. Recognize network effects and scale as market entry barriers
- Propose ex ante FTC regulations to define "unfair methods of competition" and apply such regulation in lieu of enforcement litigation against tech platforms. Note: recent FTC ban on non-compete clauses is a test case for FTC assertion of novel competition rulemaking power.
- Encourage aggressive regulation of U.S. tech platforms in the EU and the UK (e.g., EU Digital Markets Act and pending UK legislation -- Digital Markets, Competition and Consumers bill)
- With four more years, nominate and confirm progressive federal judges willing to embrace the Administration's antitrust agenda

# **Potential Election Impact**

Return to pre-Biden Antitrust Philosophy?

Three leading cloud platforms – absent collusion – constitutes a competitive market. Oracle, IBM and other players further discipline the market. Let the market work.

- Return to U.S. centric trade policy (Biden USTR no longer recognizes EU discrimination against U.S. tech companies under the DMA)
- Abandon ambitious enforcement theories in Biden Administration merger guidelines
- Allow acquisitions and investments driving efficiencies and consumer benefits. Big is not inherently bad.