

United States Senate  
WASHINGTON, DC 20510

February 2, 2023

Joe Berchtold  
Live Nation Entertainment, Inc.  
9348 Civic Center Drive  
Beverly Hills, CA 90210

Via email

Dear Mr. Berchtold:

We write to follow up on your testimony before the Senate Judiciary Committee last week on the state of competition in ticketing and the live entertainment industry. As the hearing demonstrated, there is a strong bipartisan consensus about taking steps to improve the way America's ticketing industry functions. We must ensure that we have competition in the market to drive down prices, encourage companies to innovate, and give consumers choice.

While we appreciate your willingness to testify and to answer questions, there are several issues that were left unaddressed or which require follow up. Therefore, we ask that you provide written responses to the following questions by February 15, 2023.

1. According to testimony from Mr. Mickelson, 87% of Billboard's Top 40 Tours in 2022 were performed at venues ticketed by Ticketmaster in the U.S. Do you dispute this number? If so, please explain why and provide documents in support of your position.
2. According to testimony from Mr. Mickelson, 87% of NBA teams, 87.5% of NHL teams, and 93% of NFL teams have exclusive ticketing agreements with Ticketmaster. Do you dispute any of these numbers? If so, please explain why and provide documents in support of your position.
3. In 2018, the *New York Times* reported that Live Nation tickets 80 of the top 100 arenas in the country. How many of the top 100 arenas does Live Nation ticket today?
4. Approximately how many concerts per year do Live Nation and Ticketmaster serve as both the promoter and ticketer?
5. You testified that Paciolan is one of Ticketmaster's competitors. How many venue contracts for ticketing services has Ticketmaster lost to Paciolan in each of the last three years? For each, please provide the venue name and approximate size.
6. In the past three years, has Live Nation entered into any agreements with venues where the contract term for ticketing services is longer than five years? If so, please provide a list of those venues and the contract term lengths.
7. Live Nation is subject to a consent decree that bars Live Nation from retaliating against a venue for using another company's ticketing services, and from threatening to retaliate for such choosing of another ticketing company. Will Live Nation commit to third party audits to confirm that it is neither threatening to retaliate or actually retaliating against venues that select other ticketing services providers in 2026 and beyond?

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Music and live events connect communities and bring people together. It is vital that we keep the concert experience accessible to everyone, and competition plays an important role to help achieve that goal.

Sincerely,

Handwritten signature of Amy Klobuchar in black ink.

Amy Klobuchar  
United States Senator

Handwritten signature of Mike Lee in blue ink.

Mike Lee  
United States Senator