



8th ERGP Plenary Meeting

2 July 2015,

Vilnius, Lithuania

Summary of discussions and decisions

1. Opening of the meeting and adoption of the agenda

The agenda [ERGP PL (15) 11] was adopted.

2. Information by the Chair

The ERGP Chair, Mr. Feliksas Dobrovolskis, updated the members of the ERGP notably on the general state of play of the work. He stressed that the work of the sub-groups had advanced in line with the schedule.

Mr F. Dobrovolskis informed about the recent meeting he and BEREC Chair Ms Barros had with Commission VP Ansip on 15 June in Brussels. The meeting topic - "Roaming regulation – lessons learnt in view of cross-border postal services" in the context of the envisaged DSM initiative on parcel delivery. At this meeting it was suggested to set up a joint BEREC/ERGP working group which would more thoroughly explore the opportunities for and limits to regulatory transfers from telecoms to parcel and advise the Commission accordingly. Subsequently the Commission has sent a written request to ERGP relating to the modalities of this. The Chairman informed that a written request from the Commission to form a joint ERGP-BEREC working group was received on 29 June. In its letter, the Commission suggested the first joint BEREC-ERGP group meeting to take place on 30 September – 2 October at BEREC plenary meeting in Riga.

It was decided that (a) Members should indicate their availability within two weeks, the work of the relevant sub-group and its members should serve as a basis and (b) a workshop should take place alongside the BEREC Plenary in Riga (30th September), subject to the confirmation by the BEREC Board and (c) ERGP chair would contact BEREC chair F. Barros (ANACOM) to inform about the approval of the establishment of the joint WG by ERGP and suggest BEREC Chair to issue an official call for ERGP-BEREC WG members in accordance with their rules.



3. Information by the ERGP Secretariat

ERGP Secretariat updated the Plenary on the state of play of organization activities of ERGP.

Regarding the cooperation with BEREC, it was agreed that this should not be too formal, but that it is better to move in advance than to wait.

4. ERGP sub-groups – state of play and further activities

I. Sub-group on regulatory accounting/price regulation

The chairs of the sub-group, Mr Julien Coulier (ARCEP) and Ms Alison Jessopp (OFCOM) presented the Progress report on the draft ERGP Internal Report on the calculation of cost standards to assess anti-competitive pricing of the USPs in the postal sector [ERGP PL (15) 12].

Also the chairs informed about the way forward concerning the second work stream “Comparative working methods for forecasting costs in the postal sector”. This work stream is to be handled in the second half of 2015 once the progress will have been made into the first work stream. It will then lead to a report to be delivered in 2016.

The ERGP Plenary took note on the state of play and decided that the above draft ERGP Internal Report should be adopted by the 9th ERGP Plenary on 3 December 2015.

II. Sub-group on Implementation and evolution of the USO

The chairs of the sub-group, Mr Lars Forslund (PTS) and Ms Alberta Corona (AGCOM) presented the Draft ERGP Report on the outcome of the ERGP public consultation on the evolution of the Universal Service Obligation [ERGP PL (15) 14]

The ERGP Plenary adopted the above report, including agreement to publish the adopted ERGP Report on the external ERGP website after adding within the part of conclusions a new section that indicates the necessity of further work and defines the number of issues highly important in that context.



III. Sub-group on End user satisfaction and monitoring of market outcomes

The chairs of the sub-group, Mr Joost Callaert (BIPT) and Ms Rita Filipe Silva (ANACOM) presented the Progress report on the draft ERGP Report on the quality of service, complaint handling and consumer protection 2014 [ERGP PL (15) 15].

The ERGP Plenary took note of the state of play and decided that the above draft ERGP Report should be adopted by the 9th ERGP Plenary on 3 December 2015.

The chairs of the sub-group also presented the Progress report on the draft ERGP Report on core indicators for monitoring the European postal market [ERGP PL (15) 16].

The ERGP Plenary took note of the state of play and decided that the above draft ERGP Report should be adopted by the 9th ERGP Plenary on 3 December 2015.

The Plenary also adopted the idea of flash versions of the two reports mentioned above.

The chairs of the sub-group presented the Draft ERGP internal report on the courier, express and parcel segments statistics [ERGP PL (15) 17].

The ERGP Plenary adopted the above internal report.

IV. Sub-group on European cross-border e-commerce parcels delivery

The chairs of the sub-group, Ms Nicola Shorland (ARCEP) and Mr Sören Nübel (BNetzA) presented the Progress report on the draft ERGP report on legal regimes applicable to European domestic or cross-border e-commerce parcels delivery [ERGP PL (15) 18].

The ERGP Plenary took note of the state of play and decided that the above draft ERGP Report should be adopted by the 9th ERGP Plenary on 3 December 2015.

V. ERGP Task Force on Article 12

The chair of the TF, Ms Lina Rainienė (RRT), presented the Overview of the results of the questionnaire on the possible impact of ECJ C-340/13 on the application of Article 12 [ERGP PL (15) 19]. It was decided to give a mandate to the Task Force to prepare ERGP Report in response to the request of the Commission, it was equally



decided that the 9th ERGP Plenary would decide on the re-activation of the WG on access or on the continuation of the TF work

5. Outcome of the Workshops on access issues and the ERGP Work Programme 2016

Mr. Kevin O'Brien (ComReg), a moderator of the Workshop on access, presented the outcome and main conclusions of the ERGP workshop on access issues, including the possibility to fix the issues by the amendment of the Postal Directive and the need to retain the competition which exists at the moment.

This session gave a comprehensive overview of access issues and participants discussed in more detail the regulatory approaches with regard to access in different Member States. The experts from UK, BE, LT and NL kindly shared their interesting and innovative best practices and experiences on handling access and special tariffs issues.

The ERGP vice Chair, Mr Catalin Marinescu (ANCOM), moderated the Workshop on Work Programme 2016 and presented the outcome and main conclusions of that ERGP workshop. The participants agreed the Work Programme workshop is a useful tool and should continue to be organised in the future

The discussions were conducted around five themes which afterwards would materialise in ERGP Work Programme 2016. ERGP sub-groups reflected on the main ERGP directions in 2016 and beyond regarding: regulatory accounting/price regulation, implementation and evolution of the USO, end user satisfaction and monitoring of market outcomes, cross-border e-commerce parcels delivery, the (possible) impacts of the postal sector specific requirements under Art. 12 of PSD, DSM-strategy, and other.

The ERGP Plenary took note and decided that the draft WP 2016 should be subject of the forthcoming SG and CN meetings and be submitted to the 9th Plenary on 3 December, formal adoption is envisaged for end January 2016.

6. Next Plenary meeting

The 9th ERGP Plenary is scheduled to take place on 3 December 2015 in Brussels.