

ERGP PL II (19) 27 Report on the public consultation of the WP 2020

**ERGP Report on the outcome of the public consultation on the ERGP draft Work Programme for  
2020**

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## 1. Background

During the Plenary Meeting in Portugal, on 28 June 2019, ERGP approved the draft ERGP Work Programme 2020 for public consultation. The role of the public consultation is to increase transparency and provide ERGP with valuable feedback from all interested parties.

This report summarizes stakeholders' contributions and how stakeholders' views have been taken into account in the Work Programme 2020, presenting ERGP's position with regard to suggestions and proposals put forward in those responses.

Initially, ERGP held an open Call for Input for the WP2020, that run from 11 Feb 2019 to 11 March 2019. In that Call we have received input from 19 stakeholders representing NRAs (7), USPs (3), Private operators (4), Consumers/users (3), Trade Unions (1), On-line platforms (1).

After carefully evaluating the important input received, ERGP published the draft Work Programme 2020 for public consultation from 5 July to 27 September 2019, in parallel with the open consultation on ERGP Medium Term Strategy 2020-2022. Responses were received from PostEurop, Royal Mail Group and European Express Association, regarding both the ERGP Work Programme 2020 and ERGP Medium Term Strategy 2020-2022. None of the contributions received is confidential. Therefore, ERGP also publishes all individual contributions on its website.

ERGP also held a public hearing on the draft ERGP Work Programme 2020 organised within the 2st ERGP Stakeholders Forum on 18 September 2019.

ERGP welcomes all contributions and thanks all stakeholders for their submissions. Even though the majority of contributions were general reflections and comments about the postal market, we can generally conclude, taking into account the reactions and comments received by stakeholders, that the topics established in the Work Programme for 2020 are relevant.

## 2. ERGP Work in 2020

### 2.1 Strategic Pillar I: Revisiting the postal sector

**Deliverable #1** ERGP Report exploring the possible definitions in the postal sector

**Deliverable #xx** Advice to the European Commission in drafting a fit for purpose regulatory framework for the postal sector, reflecting best regulatory practices (upon EC request )

Post Europe does not see a need for a reorientation of the Postal Services Directive.

They agree with ERGP that the future regulatory framework must be flexible enough to tackle particular national circumstances and allow innovative solutions for the provision of postal services.

Royal mail Group also sees no need to review the Postal Services Directive.

The same views were expressed during the Stakeholder Forum by representatives of designated operators, including the need for a regulatory framework to promote innovation.

Operators also stated that the impact of e-commerce on the postal sector should be taken into account in the review of the regulatory framework.

**ERGP Response**

In its Opinion on the review of the regulatory framework (ERGP PL I (19) 12) ERGP has expressed its belief that a greenfield approach is needed in establishing a new regulatory framework. ERGP notes that its opinion, reflected in the MTS and subsequently the WP2020, differs from that of the stakeholders mentioned above, but it sees no cause in the arguments brought forward to change its position in this respect

Deliverable #1 will indeed take into account the impact of e-commerce on the postal sector and the different business models involved.

## **2.2 Strategic Pillar II: Promoting a competitive EU postal single market**

### **Deliverable #2** ERGP Report on the suitability of regulatory tools to promote competition

Post Europe mentioned that ERGP already recommends introducing regulation seen in the telecoms sector without having analysed the suitability of the telecom regulatory regime for the postal sector, an analysis ERGP plans to undertake only next year. This should take into account the fundamental differences between the telecoms and postal sector.

During the ERGP Stakeholders Forum the comment above was also mentioned and it was also questioned by designated operators how ERGP can promote competition given that many regulatory authorities have no competition competencies and are limited to a purely regulatory role.

**ERGP Response:**

ERGP believes competition tools are necessary to ensure a level playing field in postal markets in transition, allowing innovative services to emerge, and to promote a fair and competitive European postal single market. Recommendation two of the “Opinion on the review of the regulatory framework” (ERGP PL I (19) 12, therefore posits the need to reorient the focus of the regulatory framework from the universal service provision to a proper functioning of the postal market and of competition. The MTS 2020-2022 and Work Programme 2020 consequently focus on competition issues,

However it is clear from the Deliverable #2 description, that, at this stage, ERGP will analyse, to what extent the concepts of telecommunications’ regulation are suitable to promote competition, having taken into account the postal sector’s development and characteristics.

**Deliverable # 3** ERGP Report on Interconnection models and access to international postal networks

No written comments received.

During the ERGP Stakeholders Forum, Universal Postal Union (UPU) Director General Mr. Bishar Hussein stated his belief that UPU membership and network should be more open to operators and stakeholders and presented the example of ITU, whose global membership comprises, apart the Member States, some 900 companies, universities, and international and regional organizations.

**ERGP Response:** ERGP welcomes the comment made by the UPU DG, and Deliverable #3 will analyse the issue of access to international networks such as the UPU one.

**Deliverable #4** ERGP Report on postal core indicators

No written comments received.

**2.3 Strategic Pillar III - Empowering end-users and ensuring a user-oriented universal service**

**Deliverable #5** ERGP Report on the provision of information of parcel delivery services (article 4 of Regulation 2018/644).

**Deliverable #6** ERGP Report on the assessment of cross-border single-piece parcel tariffs (article 6 of the Regulation 2018/644).

**Deliverable #7** ERGP Report on the improvement of cross-border parcel delivery services.

European Express Association (EEA) provided general comments on the scope of the Regulation and also details on the provision information as per articles 4 and 5, following the practical experience encountered by EEA members in the recent tariff provision and data collection process.

**ERGP Response:** The EEA document will be forwarded to the relevant ERGP WG and the European Commission, to be evaluated.

**Deliverable #8** ERGP Report on key consumer issues

**Deliverable #9** ERGP Report on Quality of service, consumer protection and complaints handling

No written comments received.

During the ERGP Stakeholders Forum representatives of consumer associations stated that particular emphasis should be placed on consumer protection issues.

Additionally, representatives of UNI Global (European Trade Union) stressed the need to protect not only consumers but also citizens and postal workers.

**ERGP Response** Deliverable #8 will identify key consumer issues reflecting the changes in the market. Regarding postal workers protection, ERGP and NRAs can only affect that issue through ensuring a level playing field for all operators, in the context of their competences.