



CERP WORKING GROUP ECONOMICS/ PT Cost Accounting and Price Control Systems

Report “Cost Accounting and Price Control”

Introduction:

“CERP Recommendation on best Practices for Cost Accounting Rules II” was approved unanimously by CERP plenary meeting in Vilnius on 25-26 November 2004. Since then some of CERP members have implemented parts of it. Nevertheless the use of cost accounting rules differs from country to country and the situation nowadays is far from being a common approach.

In addition the legal power of the regulator to enforce cost accounting rules differs from country to country. Some regulators may be in a position to prescribe in detail how cost accounting should be done, while others may only transpose the basic regulations from the Postal Directives.

The calculation of the cost of the universal service is an essential requirement for regulatory decisions. An appropriate calculation is for example required to safeguard the universal service, ensure correct cost allocation and prevent cross subsidization with non USO services.

In CERP member states a wide range of price control systems (e.g. ex-ante, ex-post, price-cap, freezing) is applied nowadays. The kind of system applied may effect prices and/or pricing structures.

Activities:

The Project Team Cost Accounting and Price Control Systems held its first meeting on 27/28 October 2005 in Mainz. Representatives from Belgium, Croatia, France, Germany, Ireland, Poland, Slovenia and Switzerland attended the meeting. Estonia, Malta and Turkey were excused. Romania and Sweden joined the project team hereafter.

The project team decided to launch a review on the existing legislation and practices and therefore has drafted a questionnaire (Annex 1) asking for the following information:

- A: The level of power given to regulators to enforce cost accounting rules in CERP member countries,
- B: Separation of cost between US and non-US,
- C: The different methods used by NRA's and/or PPO's for calculating the costs of universal service,
- D: The price control systems applied and the implication for tariffs.

The questionnaire has been distributed on 11 November 2005 and CERP members were asked to fill in the questionnaire as completely as possible and return it not later than 15 December 2005.

The response rate was very satisfying: Answers from 29 Countries have been received (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom).

To evaluate the answers the project team split up in 3 subgroups and worked until end of March 2005 by (email) correspondence. For better understanding and readability the answers have been grouped into categories.

To avoid any misunderstanding or misinterpretation all responding countries have been asked to check the tables and to report back any modification they may see a need for. Additional comments received from 17 countries are considered in this report.

Summary of basic findings:

A: The level of power given to regulators to enforce cost accounting rules in CERP member countries:

- All except of 1 countries have implemented Cost accounting rules in their national legislation and only a minority (6) plan to establish more detailed regulation;
- The Legal responsibility to determine cost accounting rules differs from country to country, in the majority Regulators (17) are authorized.
- The nature of cost accounting regulations varies from Acts (19), Secondary Legislation (10), Decree (10) to others (8).
- Most of cost accounting regulations do not go beyond the requirements of the Postal Directives (24).
- To prevent cross-subsidization between reserved/non-reserved/non-US all countries have introduced rules, mostly by separate accounts (20).
- To ensure, that the USP is in compliance with the cost accounting regulations most of the countries (19) have installed an independent auditor.
- Enforcement powers to ensure compliance with the cost accounting regulations exist mainly (27) by fines or financial penalties.
- The public availability of regularly accounts on cost accounting varies from “not existing” (2) to “with the exception of confidentiality” (5).

B: Separation of cost between US and non-US:

- Separate accounts are provided by 25 USPs, the majority (15) providing separation between Reserved/US/non US.
- A majority of countries (18) do not have any more detailed regulations for the separation of costs.
- 25 countries apportion common costs between US/non-US by full distribution of costs.

- For the separation of costs when there are non-universal value added features to a US most countries use a separated cost classification (10) or an ABC model (8).
- When US and non-US services are jointly provided the costs are mostly separated based on real use/ABC (19).
- While 20 countries are satisfied with the methodology of separation applied 7 countries are not.

C: The different methods used by NRAs and/or PPOs for calculating the costs of universal service:

- 4 countries study whether or not there are extra costs or special benefits of/from USO, all using different methods.

D: The price control systems applied and the implication for tariffs:

- In most of the countries the regulator (14) and/or the ministry (12) have the legal responsibility to determine price control systems.
- The responsibility for the application of the price control system is mostly given to the regulator (26).
- The majority of countries (19) understand “geared to cost” as “Cost orientated/cost based”.
- The understanding of “affordable” varies, where the most common view was “Accessible by all users” (11).
- On “Avoided cost” there was no common understanding, the most common answer was “avoided through specific conditions of services” (7).
- The compliance with the tariff principles are mostly verified by separated accounting documents (16), but 4 countries do not have any method.
- Cost information to justify tariffs have to be provided by all but 2 USPs, mostly by regular reports (14) and/or in case of tariff modifications (15).
- A majority of countries apply individual price regulation only (15), 7 countries use a price cap system or freezing, 6 countries apply both systems.
- The most common processes initiated within the price regulation are “Consultation” (15) and/or “Hearing” (6).
- The notice period given by the operator once the tariffs have been approved before implementation varies from 5 days to 4 month, 11 countries having no rules.
- All but 1 countries have enforcement powers to ensure compliance with the price regulations, most of them fines (25) and/or legal action (14), in 3 countries these actions have already been taken.
- On discounts and/or customer contracts 24 countries have special regulations, where the majority answered “Non-discriminatory” (17), “Based on avoided costs” (16) and “Transparent” (12).
- 8 countries have special regulations on internal transfer pricing, most of them “as retail/market prices” (3).
- Consumers/customers have the ability to appeal on applied prices in 10 countries, in most cases to the regulator (8).

Detailed figures are provided in the evaluation of the questionnaire (Annex 2).

Ulrich Dammann
(PT Chairman)

CERP

WORKING GROUP ECONOMICS/ PT Cost Accounting and Price Control Systems

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In addition the legal power of the regulator to enforce cost accounting rules differ from country to country. Some regulators may be in a position to prescribe in detail how cost accounting should be done, while others may only transpose the basic regulations from the Postal Directives.

The calculation of the cost of the universal service is an essential requirement for regulatory decisions. An appropriate calculation is for example required to safeguard the universal service, ensure correct cost allocation and prevent cross subsidization with non USO services.

In CERP member states a wide range of price control systems (e.g. ex-ante, ex-post, price-cap, freezing) is applied nowadays. The kind of system applied may effect prices and/or pricing structures.

This questionnaire therefore asks for the following information:

- **A:** The level of power given to regulators to enforce cost accounting rules in CERP member countries,
- **B:** Separation of cost between US and non-US,
- **C:** The different methods used by NRA's and/or PPO's for calculating the costs of universal service,
- **D:** The price control systems applied and the implication for tariffs.

CERP members are asked to fill in the questionnaire as completely as possible and return it not later than 15 December 2005.

Thank you very much in advance.

Ulrich Dammann
(Chairman)

Questionnaire

Contact details	
Country	
Organisation	
Contact Name	
Postal Address	
Telephone number	
Fax number	
Email address	

A: Enforcement of Cost Accounting Rules

A1: Are cost accounting rules included in your national legislation?

Yes	
No	

A2: Do you plan to establish (more detailed) cost accounting rules and to include them in your national legislation?

Yes	
No	

If yes: please specify:

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A3: Who has the legal responsibility to determine cost accounting rules:

Parliament	
Government	
Ministry	
Regulator	
Others (please specify)	

A4: What is the nature of the cost accounting regulations?

Act	
secondary legislation	
decree	
Others (please specify)	

A5: Does your cost accounting regulations go beyond the requirements of the Postal Directives?

Yes	
No	

If yes: please specify the details in keywords:

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A6: What rules exist to prevent cross-subsidization between reserved/non-reserved US/non-US?

Please specify:

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A7: What procedures exist to ensure that the USP is in compliance with your cost accounting regulations (e.g. legal requirement for auditor, their appointment, responsibility of the auditor, content of auditing, owner of auditing, reporting requirements)?

Please specify:

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A8: What enforcement powers exist to ensure compliance with your cost accounting regulations (e.g. fines, tariff measures, legal action)? Has any such action already been taken?

Please specify:

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A9: In what detail are regulatory accounts on cost accounting of the USP publicly available (e.g. cost, revenues, values at service level, regulated balance sheets), who is responsible for publication and how are they published?

Please specify:

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B: Separation of cost between US and non-US

B1: Does the USP provide separate accounts to the NRA for services within reserved/non reserved US/Non US?

Yes	
No	

If yes: Please outline content and details of such accounts:

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B2: Are there more detailed regulations on separation of costs?

Yes	
No	

If yes: Please specify:

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B3: How are common costs (overhead, network) apportioned between US/non-US (full distribution/incremental costing/marginal costing)?

Please specify:

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B4: How are costs separated when there are non-universal value added features to a US (e.g. parcel with cash on delivery, where cash on delivery is not US)?

Please specify:

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B5: How are costs separated when US and non-US services are jointly provided (e.g. counter)?

Please specify:

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B6: In your opinion: Is the methodology of separation applied in your country satisfactory?

Yes	
No	

If not: Please specify:

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C: Calculation of the (extra) costs of US

C1: Do you study whether or not there are extra costs or special benefits of/from USO?

Yes	
No	

If yes:	
What methodology is used for calculation?	
Do you take into account the costs exceeding the costs of efficient provision?	
If this study results in extra costs or special benefits: Do you evaluate the costs/benefits?	
Has the incumbent other method(s).	

D: Price control systems

D1: Who has the legal responsibility to determine price control systems?

Please specify:

D2: Who is responsible for the application of the price control system?

Please specify:

D3: What is your understanding of the following terms:

Term	Please specify
"geared to cost"	
"affordable"	
"avoided cost"	

D4: How do you verify the compliance with the tariff principles (e.g. geared to cost, non-discriminatory, transparent, affordability) and what methods do you apply?

Please specify:

D5: When and in what detail does the USP have to provide cost information to justify its tariffs?

Please specify:

D6: What kind of price control system do you apply (please specify by service)?

Individual price regulation	
<input type="radio"/> ex-ante	
<input type="radio"/> ex-post	
Price cap (please indicate the formula and baskets)	
<input type="radio"/> ex-ante	
<input type="radio"/> ex-post	
Freezing	
Others (please specify)	

D7: What process has to be initiated within the price regulation (e.g. consultation, hearing)?

Please specify:

D8: Once the tariffs have been approved: What notice period must be given by the operator before implementation?

Please specify:

D9: What enforcement powers exist to ensure compliance with your price regulations (e.g. fines, tariff measures, legal action)? Has any such action already been taken?

Please specify:

D10: Are there any special legal regulations on discounts and/or customer contracts?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

If yes: Please specify:

D11: Are there special regulations on internal transfer pricing?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

If yes: Please specify:

D12: Do consumers/customers have the ability to appeal on applied prices?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

If yes: Please specify:

CERP PL 2006/1 Doc. 10 E ANNEX 2

Question A1 Are cost accounting rules included in your national legislation?

Answer	AT	BE	BG	CH	CY	CZ	DE	DK	EE	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	NO	PL	PT	RO	SE	SI	SK	UK	Total	
Yes	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		28
No																													X	1	

Question A2 Do you plan to establish (more detailed) cost accounting rules and to include them in your national legislation?

Answer	AT	BE	BG	CH	CY	CZ	DE	DK	EE	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	NO	PL	PT	RO	SE	SI	SK	UK	Total	
Yes			X					X	X			X			X									X							6
No	X	X		X	X	X	X			X	X		X	X		X	X	X	X	X	X	X	X		X	X	X	X	X	X	23

Question A3 Who has the legal responsibility to determine cost accounting rules?

Answer	AT	BE	BG	CH	CY	CZ	DE	DK	EE	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	NO	PL	PT	RO	SE	SI	SK	UK	Total
Parliament		X	X	X		X		X			X			X				X			X						X			10
Government		X		X			X			X								X			X							X		7
Ministry	X	X		X					X	X			X	X		X		X			X	X	X							12
Regulator		X		X	X	X				X		X			X	X	X		X	X	X			X	X	X	X	X		17
Other																												X		1

Question A4 What is the nature of the cost accounting regulations?

Answer	AT	BE	BG	CH	CY	CZ	DE	DK	EE	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	NO	PL	PT	RO	SE	SI	SK	UK	Total
Act		X	X	X		X	X		X	X	X	X		X	X	X		X		X		X	X	X			X	X		19
Secondary legislation			X		X				X				X				X		X			X	X		X		X			10
Decree	X	X		X			X	X		X		X		X	X									X						10
Others								X												X	X	X		X		X		X	X	8

Question	B6	In your opinion: Is the methodology of separation applied in your country satisfactory ?																										
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Answer	AT	BE	BG	CH	CY	CZ	DE	DK	EE	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	NO	PL	PT	RO	SE	SI	SK	UK	Total
Yes	X	X	X	X			X			X	X			X	X	X	X	X	X	X		X	X	X	X	X		X		20
No					X			X				X									X						X		X	7

Question	C1	Do you study whether or not there are extra costs or special benefits of/from USO?																										
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Answer	AT	BE	BG	CH	CY	CZ	DE	DK	EE	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	NO	PL	PT	RO	SE	SI	SK	UK	Total
No	X		X	X	X	X	X	X	X	X	X	X	X	X		X		X	X	X	X		X	X	X	X	X	X	X	25
Yes		X													X	X						X								4
FDC Methodology		X																												1
Net avoided costs																							X							1
Taking into account the costs of efficient provision																							X							1
Evaluation of costs/benefits																							X							1

Question	D1	Who has the legal responsibility to determine price control systems?																										
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Answer	AT	BE	BG	CH	CY	CZ	DE	DK	EE	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	NO	PL	PT	RO	SE	SI	SK	UK	Total	
Parliament				X							X		X				X				X						X			6	
Government		X					X			X						X	X									X				6	
Ministry	X		X			X		X	X	X		X		X	X	X						X	X							12	
NRA					X	X		X		X		X		X			X	X	X	X					X	X			X	X	14
Competition Authority								X																				X		2	

Question	D7	What process is initiated within the price regulation (e.g. consultation, hearing)?
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Answer	AT	BE	BG	CH	CY	CZ	DE	DK	EE	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	NO	PL	PT	RO	SE	SI	SK	UK	Total
Consultation				X	X					X				X	X		X	X	X	X	X			X		X	X	X		15
Hearing			X			X				X													X	X			X			6
Price commission	X															X														2
No process		X					X	X	X		X	X	X										X			X				9

Question	D8	Once the tariffs have been approved: What notice period must be given by the operator before implementation?
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Answer	AT	BE	BG	CH	CY	CZ	DE	DK	EE	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	NO	PL	PT	RO	SE	SI	SK	UK	Total
5 days																								X						1
7 days			X																								X			2
15 days													X																	1
30 days																									X					1
1 month									X		X			X					X		X		X							6
2 month	X																					X								2
10 weeks							X																							1
3 months								X							X													X		3
4 months																X														1
No rules		X		X	X	X				X		X			X		X		X							X	X			11

Question	D11	Are there special regulations on internal transfer pricing?																								
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Answer	AT	BE	BG	CH	CY	CZ	DE	DK	EE	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	NO	PL	PT	RO	SE	SI	SK	UK	Total	
As retail/market prices																			X		X	X									3
At cost price		X																				X									2
Geared to costs				X																											1
Based on justifiable, non-discriminatory principles																	X														1
Guidelines																				X											1
Element of licensing conditions																													X		1
No regulation	X		X		X	X	X	X	X	X	X	X	X		X	X		X		X			X	X	X	X	X	X	X		21

Question	D12	Do consumers/customers have the ability to appeal on applied prices?																								
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Answer	AT	BE	BG	CH	CY	CZ	DE	DK	EE	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	NO	PL	PT	RO	SE	SI	SK	UK	Total	
To the regulator						X			X	X		X					X				X		X					X			8
In court			X													X							X								3
To Ministry						X				X		X																			3
Costumer organization												X																			1
No process	X	X		X	X		X	X			X		X	X	X			X	X	X	X		X		X	X	X		X		19