From 6 to 8 of May 2009 the 40th CERP Plenary meeting was held in Luxembourg. The meeting was attended by more than 80 delegates representing 32 member countries.

Ms. W.-J. Lee (UPU), Mr. J. Reinbothe and Mr. R. Pochmarski (European Commission), Mr. T. Walsh and Mr. Razvan Antemir (FEDMA), Mr. B. Damiens (PostEurop) and Mr. M. Van der Horst (EEA) attended the Plenary as observers and Mr. Niels Delater (SPECTOS) and Mr. Alex Dieke (WIK) attended a forum session as speakers.

The Minister of Communication, Mr. Jean-Louis Schiltz, welcomed the members in the name of the government. He thanked CERP for coming to Luxembourg and wished the plenary good success.

On the first day of the Plenary a forum on the topic “Concepts of Universal Service Provision” was organized. The panel discussion was moderated by John Hearn (Ireland). The discussants were Mr. Sten Selander (Sweden), Mr. Bert Aerts (Netherlands), Mr. Guillaume Lacroix (France), Mr. Robert Pochmarski (European Commission), Mr. Mick Fews (United Kingdom) and Mr. Axel Kirmess (Germany).

The moderator first welcomed the participants, who briefly introduce themselves to the attendees.

During the very lively discussion the participants explained their understanding of the terms "universal service" and "universal service obligation".

"Universal service" is defined as the minimum offer of postal services guaranteed to consumers by the government; "universal service obligation" is defined as the legal obligation of one or more providers to provide the universal service.

The forum identified the fact that, in the United States, the universal service is determined by a legal definition whereas it is much more consumer-oriented in Europe as a significant difference between the US universal service and that in most European countries.

The different concepts of the universal service and the consequences regarding its funding were presented and compared.
The question as to the extent necessary from the consumers’ point of view was also addressed.

After the forum exchanged views for almost two and a half hours, the Chairman thanked the moderator and the participants for the lively and interesting discussion. He said he would appreciate such debates becoming a firm part of plenary meetings.

The third day of the Plenary started with the forum “What effect will technology and media convergence have on postal market definition going forward?”

This forum was moderated by Mr. Gavin Macrae from PostComm (UK) and Ms. Won-Ja Lee (UPU), Mr. Mark van der Horst (EEA), Mr. Tim Walsh (FEDMA), Mr. Bernard Damiens (PostEurop), Mr. Niels Delater (SPECTOS) and Mr. Alex Dieke (WIK) participated.

After having been welcomed by the moderator the participants introduced themselves, indicating the relevance of the issues addressed by the forum from the point of view of the organisations they represent.

During the more than two hours of discussion it became evident that the panel members judge the prospects differently, also in view of the current crisis, depending on their business models.

Views differed in particular regarding the opportunities offered by the growing convergence of different technologies (e.g. e-commerce, tracking and tracing, hybrid post).

Mp3 recordings of both discussion rounds are available at the website of CERP www.cept-cerp.org (General Information – History – Plenaries).

The Presentations

On the second day of the Plenary meeting presentations were made by the UPU and the European Commission.

Ms. Won-Ja Lee first spoke about the UPU activities performed in 2009. She informed the delegates about the continuation UPU reform, taking account of new entrants in the postal market, the collection and distribution of information on the postal universal service, the study what the topical issues in the Regulations would be with a view to revising them and the activities of the two reflection groups under the CA Committee 3 (finance and administration).

In conclusion she informed the meeting of the signing of an agreement with the government of Qatar (organisation of the DOHA Congress scheduled for October 2012), on the organisation of a regulatory forum to be held during the next CA meeting in November 2009, and that all UPU member countries will be sent certified copies of the 24th Congress Acts by the end of May.

Dr. Jörg Reinbothe from the European Commission gave a presentation that emphasised the urgency of transposition of the Third Postal Services Directive and the key role of regulators.

After a detailed overview on the state of play of the implementation – highlighting those Member States that have already opened up fully their postal markets – he recalled the number of initiatives the Commission has taken to assist Member States in the implementation of Directive 2008/6/European Commission, including a correlation table, a consolidated version of the Postal Services Directive as a working tool, meetings of the PDC and its Working Groups and bilateral meetings.

On substance he addressed the issues of ensuring universal service, licensing and authorisation procedures/conditions, calculation of any net cost of the universal service and the access to infrastructure. In all these subjects the role of NRAs was key and the establishment of “best practice” is necessary.

Therefore, the establishment of independent NRAs and the cooperation between them and with the Commission was of core importance.

Mr Reinbothe also addressed the external dimension of EU postal policy, its reasons, substance and fora. He concluded by informing CERP members about the initiatives planned by the Commission in the future and stressed the willingness of the Commission to further deepen its working relations with CERP.
Apart from regular reports of their activities and work plans for the future final reports from two project teams have been approved:

- The Project Team "Supervision/Market Data" presented the "CERP report on the application of EN13850 regarding national needs and peculiarities". This report highlights that the national regulatory authorities have used the authority they are given by EN13850, the standard for the end-to-end-measurement of single piece priority mail, within proportions.

- The Project Team "Cost Accounting and Price Regulation" submitted the "CERP Recommendation on best Practices for Cost Accounting Rules III", which is the third version (second revision) of this document. This document especially takes into account the recent developments and new regulations and provides tools how to draw up and control cost accounting systems.

These documents and any further documents adopted before can be downloaded at the CERP website www.cept-cerp.org (General Information – History – Documentation).

The next plenary will take place from 18 to 20 November in Monaco. This Plenary will again provide two fora, one dealing with the question, if there is a need for quality of service measurement in a liberalized market and the other will debate the duties and responsibilities of NRAs in a liberalized market.

In this plenary the following final reports are going to be approved:

- Forth Report of the Project Team National Regulatory Authorities;
- “Implementation Guide Universal Service” by Project Team Universal Service;
- “Report on Quality of Service” by Project Team Supervision/Market data;
- “Best Practice on Consumer Relation” by Project Team Consumer Issues.

The CEPT has concluded its March 2009 Extraordinary Assembly with a decision to streamline its management structure. This change is aimed at strengthening the organisation by focusing leadership on the main areas of CEPT’s work in cooperation and harmonisation at the European level. These areas are:

- telecommunications (with a strong emphasis on spectrum management);
- postal services regulation;
- engagement by CEPT members with the International Telecommunication Union (ITU) and the Universal Postal Union (UPU).

A separate presidency, changing every year, is now replaced by a co-presidency of the three chairmen currently responsible for the CEPT committees (CERP, Com-ITU and ECC). The chairmen of these groups are separately elected under the procedures of the groups concerned. These chairmanships are of finite duration.

This co-presidency will be assisted by the European Communications Office (ECO) acting as a secretariat.

The new structure establishes a leadership that corresponds directly to the substantially autonomous areas of activity around which the CEPT’s reputation, influence and responsibility is clustered, and where its stakeholder interests lie.

The creation of a joint presidency should ensure that areas of common interest receive due attention. The CEPT Assembly remains as the supreme body of the organisation, with the expectation of a flexible approach to convening its meetings when necessary.