



An Coimisiún um  
**Rialáil Cumarsáide**  
Commission for  
**Communications Regulation**

# Universal Postal Service Provider(s) after 1 August 2023

Invitation for submissions to be considered  
as designated Universal Postal Service  
Provider – deadline 4pm 27 January 2023

## Information Notice

**Reference:** ComReg 22/103a

**Date:** 09/12/2022

**An Coimisiún um Rialáil Cumarsáide**  
**Commission for Communications Regulation**

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# Invitation for submissions to be considered as designated Universal Postal Service Provider

1. The designation of An Post as universal postal service provider (“USP”) ceases on 1 August 2023. ComReg has statutory responsibility to review the USP designation and decide whether a designation is required after 1 August 2023<sup>1</sup>. ComReg is also statutorily required to ensure that this review is done in accordance with procedures established and maintained by ComReg (“the Procedures”)<sup>2</sup>. ComReg established the Procedures in 2019<sup>3</sup>. The Procedures set out two main steps for USP designation reviews which are summarised as follows:
  - Step 1 – Is there a requirement for a USP designation?
  - If Yes at Step 1: Step 2 – Which postal service provider(s) (“PSP(s)”) should be designated as USP(s)?
2. In ComReg Document No. 22/103, Decision D09/22, ComReg has decided under Step 1 that there is a requirement for a designation of USP(s) after 1 August 2023.
3. Therefore, as ComReg has decided Yes at Step 1, ComReg is now proceeding with Step 2, which PSP(s) should be designated as USP(s) and for what duration(s). Therefore, in accordance with the Procedures, and by this document, ComReg is now inviting submissions from PSPs<sup>4</sup> who are interested in being considered as the designated USP(s) in the State, and capable of providing all or part of the universal postal service.
4. All PSPs interested in being considered for designation as a USP will be required to demonstrate in their submission their capacity and capability to provide universal postal services from 1 August 2023. PSPs should note that all designated USPs will be subject to the universal postal service statutory requirements (including under the 2011 Act) and the current regulatory obligations and should therefore fully consider these requirements before making their submission.

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<sup>1</sup> Section 18 of the Communications Regulation (Postal Services) Act 2011 (“2011 Act”)

<sup>2</sup> Section 19 of the 2011 Act

<sup>3</sup> ComReg Document No. 19/64a

<sup>4</sup> Under section 18 of the 2011 Act ComReg may choose to designate one or more than one postal service provider(s) as USP(s). Entities not yet authorised as a postal service provider may seek designation as USP, however, only postal service providers authorised by ComReg under section 38 of the 2011 Act can be designated.

## How to make submissions before 4pm, 27 January 2023:

All submissions should be clearly marked:

“Reference: Submission re USP after 1 August 2023”,

- with paper copy by hand /registered post / courier to postal address below and
- by e-mail (note large emails will require use of ComReg’s managed file transfer so email in advance to facilitate access to this)

to arrive on or before 4.p.m, Friday 27 January 2023.

**Postal  
Retail Division  
Commission for Communications Regulation  
One Dockland Central  
Guild Street  
Dublin 1  
D01 E4X0  
Ireland**

**Email:** [postreg@comreg.ie](mailto:postreg@comreg.ie)

Please note ComReg will publish all submissions subject to the provisions of ComReg’s guidelines on the treatment of confidential information – ComReg 05/24. Submissions should therefore clearly identify any confidential information.

## Information required in submissions:

5. The following information required in submissions is already established and set by the Procedures and for ease of reference is reproduced below:
  - a) Submissions should contain proposals for the efficient provision of all of the universal postal service for the entire State and/or for the efficient provision of different parts of the universal postal service for the entire State and/or for the efficient provision of all aspects of the universal postal service for any part or parts of the State.
  - b) All postal service providers interested in being considered for designation as a USP will be required to demonstrate in their submission their capacity and capability to provide the universal postal service. Postal service providers should note that all designated USPs will be subject to the universal postal service statutory requirements (including under the 2011 Act) and should therefore fully consider these requirements before making their submission. Postal service providers in their submission should, where appropriate, provide details of past performance (in the provision of the universal postal

service or in the provision of postal services or in equivalent services). In addition, postal service providers should provide details of their proposed solution, which should include at a minimum the following:

- **Products and Services** - Full details of the universal postal service or part of the universal postal service (including proposed products and services) which the postal service provider proposes to provide. A completed ComReg Document 12/81n form<sup>5</sup> will also be required as part of the submission for each of the universal postal services proposed to be provided;
- **Postal Network and Resources** - Full details of the proposed postal network, including systems and resources, which it intends to implement and operate (including an appropriate Business Continuity Plan that demonstrates how the continuity of the universal postal service will be ensured during periods of disruption). These details should demonstrate the postal service provider's capability to continuously provide the universal postal service and should include the necessary access and delivery arrangements for all postal service users.<sup>6</sup> These details should also demonstrate how the geographic location of the addresses marked on the postal packets will be identified to ensure correct delivery of the postal packet to the addressee. Details of the customer service facilities that will be provided, sufficient for dealing with universal postal service users' needs, should also be demonstrated. Where it is proposed that there be more than one postal service provider providing the universal postal service as part of the same solution, the inter-operator arrangements of that joint solution that will be put in place should be specified;
- **Cost-efficiencies** – Full details demonstrating how the service will be provided in a cost efficient manner, including details of operations management processes that will continuously oversee cost efficiency. As dedicated parcels networks and letters networks have distinct differences, submissions from postal service providers that currently operate a predominantly parcels network or a predominantly letters network must provide evidence demonstrating how their network will be operated to efficiently provide the service which they don't currently predominantly provide (if applicable);

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<sup>5</sup> 'Notification and Declaration Form - Intention to provide a postal service under section 38 of the Communications Regulation (Postal Services) Act 2011'

<sup>6</sup> At the time of publication in ComReg Document 03/50. These requirements may change over time.

- **Price** – Full details demonstrating that the postal service provider will meet the tariff requirements in section 28 of the 2011 Act;
- **Quality of Service** – Full details demonstrating that the postal service provider will meet the requirement for the universal postal service to be provided to the specified quality levels<sup>7</sup>;
- **Confidentiality and Security** – Full details demonstrating that the postal service provider will have sufficient protections for confidentiality of correspondence and security of the network. This will include for the transport of dangerous goods, etc. if applicable<sup>8</sup>;
- **Draft Terms & Conditions** – a draft version of the proposed terms and conditions of the universal postal service<sup>9</sup> to be approved by ComReg under section 23 of the 2011 Act;
- **Customer Complaints Procedures** – the proposed code of practice for customer complaints and the proposed dispute resolution procedures<sup>10</sup> in accordance with the 2011 Act;
- **Annual projected costing of provision of services** - evidence demonstrating the projected costs of providing the proposed universal postal services and how the proposed pricing and efficiencies will ensure that these costs will be covered; and
- **Financial standing** – evidence demonstrating that the postal service provider is in a stable financial position and capable of ensuring continued provision of the universal postal service proposed for the entire designation period.

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<sup>7</sup> At the time of publication in ComReg Document 15/126 which provides for a quality standard of 94% for next day delivery and 99.5% for delivery within three days of posting for single piece priority mail within the State. These requirements may change over time.

<sup>8</sup> Article 5(1) of Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service, as amended by Directive No. 2002/39/EC, and Directive No. 2008/6/EC.

<sup>9</sup> At the time of publication, ComReg's recommendations for drafting terms and conditions of the universal postal service are set out in ComReg Document 14/24a. These requirements may change over time.

<sup>10</sup> At the time of publication, the requirements for all postal service providers are set out in ComReg Documents 14/06 and 15/07a. These requirements may change over time.