



Commission for
Communications Regulation

Response to Consultation

**Regulation of Postal Services – Universal
Service Obligation - Bulk Mail Access**

Document No:	07/06
Date:	31 January 2007

Contents

1	Foreword.....	2
2	Introduction	3
2.1	LEGAL	3
2.2	DEFINITIONS	3
2.3	BACKGROUND	4
2.4	CONSULTATION PAPER	4
2.5	RESPONSES RECEIVED	4
2.6	FORMAT OF DOCUMENT	5
3	Decision Notice Issues.....	6
3.1	GENERAL ACCESS POINTS	6
3.1.1	<i>Consultation issue</i>	6
3.1.2	<i>Views of respondents</i>	7
3.1.3	<i>ComReg position</i>	8
3.2	MULTIPLE ACCESS POINTS	9
3.2.1	<i>Consultation issue</i>	9
3.2.2	<i>Views of respondents</i>	9
3.2.3	<i>ComReg position</i>	10
3.3	QUESTION SPECIFICALLY FOR AN POST	10
3.3.1	<i>Consultation issue</i>	10
3.3.2	<i>An Post response</i>	11
3.3.3	<i>ComReg position</i>	11
4	Other issues raised by respondents but beyond the scope of this Consultation	12
4.1	SERVICES AVAILABLE AT THE BULK MAIL ACCESS POINTS	12
4.2	SUSPENSION OF CERTAIN BULK MAIL SERVICES AT OPERATIONAL PEAK PERIODS	13
4.3	NO OBLIGATION TO PROVIDE UNIVERSAL SERVICE IF NOT 'REASONABLY PRACTICABLE'.....	14
4.4	DOWNSTREAM ACCESS.....	14
5	Direction to An Post	15
	Appendix A – Legislation	17

1 Foreword

ComReg is the National Regulatory Authority for the Postal Sector in Ireland. In that context one of the principal functions of ComReg is to promote the development of the postal sector and in particular the availability of a universal postal service within, to and from the State at an affordable price for the benefit of all users.

This consultation is about expanding the number of sites at which the full range of bulk mail services is available on a non discriminatory basis. The consultation paper put forward a list of 48 indicative sites and also raised the issue of users having the facility of accessing multiple sites. ComReg is statutorily obliged to ensure that access points take account of the needs of postal service users. All users who responded generally support the expansion of the number of sites with An Post claiming that they can offer access to bulk mail discounts at a substantial majority of the delivery offices in the indicative list.

The consultation paper also raised the issue of multiple access points to which An Post responded that it was not aware that this was an issue but that it is flexible once notice is provided.

ComReg, following publication of this 'Response to Consultation', will direct An Post to provide full and unconditional bulk mail access at 43 locations in the State. Given An Post's stated acceptance of 42 locations it is proposed that implementation should take effect for all access points within three months of the date of issue of the Direction.

A number of additional issues raised by respondents were outside the scope of the consultation. ComReg will fully pursue these points but will do so separately to the issue at hand.

I would like to thank those who responded to the consultation paper and welcome the increase in the number of locations at which the full range of bulk mail services will be made available

John Doherty
Commissioner

2 Introduction

2.1 Legal

Regulation 4(1)(b)(ii) of the European Communities (Postal Services) Regulations 2002¹ (“the Regulations”) requires ComReg, after consultation with interested parties, to issue directions to An Post, the Universal Service Provider, to ensure that the density of the points of contact and of access points takes account of the needs of users.

‘Access Points’ are defined in the Regulations as “physical facilities, including letter boxes provided for the public either on the public highway or at the premises of the universal service provider, where postal items may be deposited with the public postal network by customers.”

‘Users’ are defined in the Regulations as “any natural or legal person benefiting from universal service provision as a sender or an addressee.”

Please see Appendix A for a more comprehensive statement of the legal position.

2.2 Definitions

For the purposes of this paper:

“Bulk Mail” means a substantial number of similar postal items which are deposited with An Post, or any other service provider, at the same place and time, to be conveyed and delivered to the addressees indicated on the items.

“Direct Mail” is a form of Bulk Mail; the 2002 Regulations define it as “...*a communication consisting solely of advertising, marketing or publicity material and comprising an identical message, except for the addressee's name, address and identifying number as well as other modifications which do not alter the nature of the message, which is sent to a significant number of addressees, to be conveyed and delivered at the address indicated by the sender on the item itself or on its wrapping and includes cross-border as well as domestic mail, but does not include bills, invoices, financial statements or other non-identical messages and communications combining direct mail with other items within the same wrapping.*”

“Pre-sort Service” means that the originator of Bulk Mail, or his agent, undertakes to sort his mail in accordance with the sorting plan required by the Universal Service Provider (USP), before depositing it with the USP, so that it can be treated as a single aggregated unit of mail until it is received at the designated Delivery Office, where it is disaggregated for final delivery.

¹ S.I. No 616 of 2002

2.3 Background

ComReg document 06/53, section 3.3 details previous ComReg publications in which bulk mail access had been raised.

It is useful to provide some background to the most recent events. A decision was made in September 2004 following a previous consultation to issue a Direction to An Post specifying the points of access necessary to meet the needs of bulk mail customers. A draft Direction was published at that time requesting responses from An Post and others regarding the implementation of the Direction by An Post.

Delays were encountered in formally issuing the Direction to An Post due to ongoing discussions between An Post and its staff bodies on the reorganisation of An Post's collection and delivery arrangements. Any agreement could have had a significant impact on bulk mail access arrangements. Additionally, An Post was due to revert to ComReg with revised pricing proposals. Due to the lapse of time in formally issuing that Direction to An Post ComReg decided, in summer 2006, that the prudent option was to re-consult on the matter prior to issuing a Direction to An Post.

2.4 Consultation Paper

In carrying out its functions under the legislation, ComReg is obliged to take into account the views of interested parties. On 26 September 2006, the Consultation Paper, 'Regulation of Postal Services – Universal Service Obligation – Bulk Mail Access' (ComReg Document No: 06/53) was published requesting the views of interested parties with regard to general access points and multiple access points.

Additional time to respond to the consultation questions was requested by the Charities Forum and it was decided to extend the deadline for receipt of responses to 17 November 2006.

2.5 Responses Received

ComReg wishes to thank all of those who contributed to the debate. In total eight submissions were received by the extended closing date. The respondents are:

- (a) An Post;
- (b) DX Ireland;
- (c) Enterprise Ireland;
- (d) Irish Charities Postal Users' Forum (Charities Forum);
- (e) Missionaries of the Sacred Heart (Missionaries);
- (f) Quinn Direct;
- (g) TICo Group Ltd (TICo); and
- (h) Vodafone.

TICo Group Ltd submitted a copy of its response to ComReg's original consultation paper on the issue of Bulk Mail Access (ComReg Document No: 04/92 refers) TICo's position therefore remains supportive of the provision of additional bulk mail access points.

The responses to the consultation paper have assisted ComReg in determining the most effective way forward. All points relevant to the consultation raised by the respondents have been considered, although readers will appreciate that it is not feasible to refer to every point made by every respondent in a document of this nature.

As stated in the consultation paper, ComReg is publishing all responses received with the exception of submissions marked confidential as an Annex to this report.

2.6 Format of Document

This response to consultation deals with the main issues raised during the consultation. Each section briefly summarises the issues raised in the Consultation Paper and the views of Respondents, ComReg's analysis of those issues and the position adopted in response to the consultation. ComReg's formal decision is set out in section 5.

Please note this paper does not constitute legal, commercial or technical advice. ComReg is not bound by it, except where there is a formal Direction or other document issued in fulfilment of a statutory obligation. All other aspects of this response to the consultation are without prejudice to the legal position of ComReg and to its rights and duties under legislation.

3 Decision Notice Issues

The consultation paper was based on work developed since 2002. It proposed an indicative list of 48 bulk mail access points. The list consisted of the current 24 locations that accept pre-sorted and deferred delivery for postings of between 350 and 2000 mail items and proposed a further 24 locations to cater for counties, large towns and primary development centres as defined by the National Spatial Strategy, which are not currently represented.

The purpose of the direction is to ensure that An Post provides users with sufficient access to bulk mail services, on a non-discriminatory basis. The scope of the decision to be made is limited to prescribing the number of access points at which the full range of bulk mail services must be provided by An Post to all users, within the scope of the universal service.

The issue of the terms and conditions which may apply to those bulk mail services is closely interlinked to the matter of bulk mail access points, though ComReg did not consult on this issue.

3.1 General Access Points

3.1.1 Consultation issue

The access points should be reflective of the needs of postal users, while capable of being served by An Post.

Interested parties were asked three questions:

Q. 1. Is the indicative list of general access points adequate to meet the needs of customers who wish to avail of the bulk mail service or would fewer access points suffice?

Q. 2. Is the indicative list of general access points capable of being served by An Post or would there be particular difficulties at specific locations?

Q. 3. Are there any other locations not included on the indicative list, and which regularly generate significant bulk mail volumes, that should be included? If YES please provide details

3.1.2 Views of respondents

Question 1 – adequacy of indicative list

Enterprise Ireland highlighted that almost half of its client companies are based outside the network of An Post's hub structure, i.e. they are located in areas where full bulk mail access is not currently available.

An Post claims it can increase the number of bulk mail access points to include 18 of the additional locations from the indicative list in the consultation paper. However, it appears from An Post's response that it is happy to provide limited services only at the additional location points and not full bulk mail access as proposed in the consultation paper.

Vodafone points to delays experienced with traffic congestion in Dublin and as such puts forward that additional access points should be made available in and around Dublin city.

The Missionaries feels its needs would be best served with an access point in Cork City centre.

The Charities Forum states that fewer access points than that listed in the indicative list set out in the Consultation would suffice.

Quinn Direct contends that the needs of all customers should be met.

DX Ireland agrees with the list proposed but thinks it should go further and provide access at centres of population in excess of 5,000.

Question 2 – service provision at towns on indicative list

Enterprise Ireland is of the view that if the service forms part of the USO then An Post should provide the service, thereby satisfying customers' needs on an equal basis, irrespective of location.

An Post claims it can provide Bulk Mail access at 18 of the additional locations listed in the consultation paper.

The Charities Forum sees no reason why An Post would not be capable of doing so, although acknowledging that staffing may be an issue.

Vodafone and DX Ireland feel that An Post is best placed to decide.

Question 3 – need for additions to indicative list

An Post states that it will respond to customer needs.

The Charities Forum states its understanding that An Post has special arrangements already in place to accept Bulk Mail in Bandon, Killarney, Shannon and Nenagh “*to meet the needs of specific customers*”.

3.1.3 ComReg position

In ComReg’s Response to Consultation in 2003², ComReg proposed to only intervene on a case by case basis, if a dispute arose and at the invitation of a specific customer when it could be shown that the normal process of commercial negotiation had been exhausted. However, it subsequently transpired that not all cases were being resolved. It appeared that some customers may have been receiving more favourable treatment than others. For instance, despite extensive discussions with An Post, Quinn Direct, a significant postal services user, remains unable to access the services it requires at Cavan. It is noted above that the Charities Forum, in its response to consultation, states its understanding that special arrangements exist for specific Bulk Mail customers in Bandon, Killarney, Shannon and Nenagh. The nature of the ‘special arrangements’ is not stated.

The lack of transparency as to the level of bulk mail access provided by An Post throughout the State necessitates that ComReg should direct An Post regarding specific location points. Providing bulk mail access to all customers, on an equal and non-discriminatory basis, necessitates a nationwide list of available bulk mail access points for all customers wishing to use bulk mail services. It is therefore proposed that the list of all access points where the full range of bulk mail services is available should be published.

An Post identified six locations (Balbriggan, Greystones, Wicklow, Celbridge, Leixlip and Kilcullen) where it claims that it could be problematic to provide bulk mail access, due to accommodation provision difficulties and re-negotiation of agency agreements. It is recommended that the possibility for access at these locations is kept under review.

It is further recommended that the possibility for access at the locations identified by Enterprise Ireland and the Charities Forum is kept under review with the exception of Shannon. Shannon is a major industrial zone and as Shannon Development³ has a stated ambition for the Shannon Region ‘*that it be regarded as the region of choice by the business community*’ it is reasonable to include Shannon as an access point in the related Direction.

² ComReg Document No: 03/50

³ <http://www.shannondev.ie/RegionalDevelopment/>

With regard to the other proposed locations ComReg will continue to review the access requirements for these and any other proposed locations.

ComReg will therefore issue a Direction to An Post requiring it to provide full and unconditional bulk mail access at 43 locations in the State. Given An Post's acceptance of 42 locations and notwithstanding the claims of the Charities Forum regarding special arrangements for specific Bulk Mail customers at Shannon, it is proposed that implementation should take effect for all access points within three months of the date of issue of the Direction.

3.2 Multiple Access Points

3.2.1 Consultation issue

The current system restricts postal users to a single bulk mail access point. It is not clear whether this arrangement is sufficient to meet the needs of postal users. Interested parties were asked two questions:

Q. 4. Is the current system offered by An Post, whereby the customer has to agree in advance the access point location through which all bulk mail will be processed, sufficient to meet the needs of all postal users? Please give reasons for your answer

Q. 5. Is there demand from postal users for An Post to provide access to a pre sorted service at multiple points nationwide?

3.2.2 Views of respondents

Question 4 – is current provision adequate?

An Post states that it is not aware that this is an issue and that it is flexible once notice is provided. An Post also states that it is necessary to nominate specific locations for revenue protection reasons.

Vodafone states that choice of location should be made available, once notice is given to An Post.

Charities Forum states that alternative access is necessary as a contingency arrangement, particularly during periods of industrial dispute.

Enterprise Ireland states that access points should meet customer needs and not only the needs of An Post. Additionally, more than one access point should be made available to customers.

Question 5 – demand for access to pre-sorted service at multiple access points nationwide

An Post states that it already provides access at multiple points (depending on the mix of services and associated terms and conditions) and argues that ComReg is attempting to introduce ‘downstream access’, thereby acting beyond its powers.

Vodafone supports multiple access points, and welcomes the option to select multiple access points subject to any reasonable prior notice that An Post may require.

The Charities Forum points out that a single designated access point leaves customers vulnerable in times of industrial unrest.

Quinn Direct contends that all companies should have equal access.

DX Ireland contends that An Post needs to provide access at multiple points in preparation for full market liberalisation in 2009.

Enterprise Ireland claims that limiting access to certain locations amounts to discrimination. It claims that this equates to non-provision of the USO. Enterprise Ireland contends that, as a minimum, all Gateways/Hubs in the National Spatial Strategy should enjoy full bulk mail access.

3.2.3 ComReg position

As An Post states that it is not the case that Ceadúnas (permit) and meter customers are prohibited from posting at any point other than the agreed posting access point, ComReg will direct An Post to offer this facility on a non-discriminatory basis to all Bulk Mail customers.

3.3 Question specifically for An Post

3.3.1 Consultation issue

An Post has previously argued against the extension of bulk mail access on the basis that the current offering is all that can be provided from an operational perspective. ComReg requested An Post to provide reliable and exact information in support of its position, and specifically invited An Post to respond to the following question:

Q. 6. Question for An Post only (a) Exactly how does the depositing of pre-sort Bulk Mail at An Post Delivery Offices negatively impact An Post's current operations? (b) What would be the extent of those effects, in terms of costs, labour and efficiencies? (c) What measures could be taken to curb, minimise or counteract those effects? Please provide detailed answers, addressing each of the indicative locations where necessary.

3.3.2 An Post response

An Post's response to these questions was that it "*provides access to pre-sorted discounted services at multiple points nationwide.*"

3.3.3 ComReg position

An Post's response would indicate that the provision of full Bulk Mail access at an increased number of locations will not have an adverse effect on An Post.

4 Other issues raised by respondents but beyond the scope of this Consultation

Respondents to the Consultation raised a number of issues which are beyond the scope of the consultation and the resulting Direction. ComReg will take up the four issues as outlined below separately and at an early date.

4.1 Services available at the Bulk Mail access points

Given the nature of its business Quinn Direct⁴ needs to turn around mail received on any particular day by close of business that same day. Although An Post does offer a range of discounted services at Cavan, it requires that its customers, in order to avail of these discounts, must post one working day earlier than competitors who post at one of An Post's mail processing centres (i.e. Dublin, Cork, Portlaoise or Athlone). Quinn Direct holds that its business is therefore placed at a competitive disadvantage in comparison with some of its peers who are located elsewhere.

Quinn Direct state:

“It would appear that provincial companies are being discriminated against in terms of the availability of potential postal discounts. It seems unlikely that other national service providers such as the ESB, would succeed in offering the availability of reduced rates to its urban customers at the expense of its rural peers. Considering the annual volume of letters processed by Quinn-direct Insurance, currently in excess of 1.5 million items, and also the investments we have made in processes to ensure that all letters are in Auto-sort / Readability format, it is disappointing that we are not afforded the opportunity to avail of any postal discounts due to our location.

We currently employ 1500 staff providing much need employment in County Cavan and the surrounding counties. The development of local economies and communities are significantly influenced by the successful growth of our company. It is a source of frustration that our location is acting as a competitive disadvantage compared to our peers based in urban areas. It is hardly an encouragement for other companies to base their operations in rural Ireland, where it is likely that they will be discriminated against in the provision of core national services.”

⁴ Quinn Direct is a large insurance company based in Cavan town and dealing directly with its clients by phone, internet and mail. One of Quinn Direct's competitors is One Direct, a subsidiary of An Post based at Athlone

Enterprise Ireland states that half of its client companies are based outside the immediate locality of An Post's four main processing centres. It views the current system as discriminatory, sub-optimal, lacking customer focus, biased, inequitable and supporting divergent standards across the country. Enterprise Ireland holds that anomalies in the provision of bulk mail access should be immediately rectified as some regions are being economically disadvantaged by the current An Post system. Enterprise Ireland further states that as access is an element of the USO provision, action to overcome difficulties associated with the provision of full bulk mail access nationwide must be addressed without delay.

The Direction, requiring An Post to provide access to bulk mail services at specified locations, will only provide a partial remedy for the points made by Quinn Direct and Enterprise Ireland. It will also be necessary to ensure that An Post complies with its obligations to provide all the bulk mail services falling within the scope of ComReg's working definition of universal service⁵ and that the pricing and associated terms and conditions are applied in a transparent and non-discriminatory manner as required by Regulation 9(3).

4.2 Suspension of certain Bulk Mail services at operational peak periods

Both the Missionaries and the Charities Forum criticise An Post's practice of suspending certain bulk mail services at operational peak periods. The Charities Forum state;

"Whilst it is outside the terms of reference of this particular consultation, we want to record again that we have been asking An Post for years to cease its totally unnecessary practice of suspending its direct mail bulk service – Postaim – in mid-November and prior to elections and referenda because of "the changed market place of today". It is the only postal authority in the world that suspends its bulk direct mail service when users need it most, e.g. for Christmas promotions. Unfortunately, An Post management no longer see direct mail as an advertising medium.

We have also been asking that the 12 noon latest time of posting deferred delivery bulk mail be changed to 3pm, i.e. the latest time for posting early presentation mail, to meet user needs, but again An Post management has demonstrated that it does not listen to its customers and does not consider their needs seriously."

"An Post must face the reality that it will have to meet the access needs of bulk mail customers, and it would be very preferable that it would do this by flexibility and negotiation rather than being forced to do so by direction from ComReg. Good customer relations would dictate that course rather than what has been happening over the past five years."

⁵ ComReg document No: 05/16 Consultation Paper: The Universal Postal Service - Formulating a working definition'

4.3 No obligation to provide universal service if not ‘reasonably practicable’

ComReg observes⁶, that An Post is obliged to provide a nationwide service under the Postal and Telecommunications Services Act 1983 (“the 1983 Act”) and that it is difficult to reconcile this statutory obligation with the lack of service provided to bulk mail customers in cities like Limerick, Galway, Waterford and large towns such as Drogheda and Sligo, when compared with the better services provided to customers located near An Post’s facilities in Athlone and Portlaoise.

An Post cites Section 12(1)(b) of the 1983 Act, arguing that it makes clear that demands should be met “so far as the company considers reasonably practicable”. However, the full text of Section 12(1) provides:

*“12.—(1) The principal objects of the postal company shall be stated in its memorandum of association to be—
 (a) to provide a national postal service within the State and between the State and places outside the State,
 (b) to meet the industrial, commercial, social and household needs of the State for comprehensive and efficient postal services and, so far as the company considers reasonably practicable, to satisfy all reasonable demands for such services throughout the State”*

4.4 Downstream Access

An Post, while stating that it is willing to meet customer demands, and acceding that it can provide bulk mail access at most of the locations set out on the indicative list of access points in the consultation paper, contends that ComReg is acting outside its powers by mandating downstream access. An Post also raised this argument in its response to ComReg’s previous consultations.

ComReg made it clear in its consultation paper that while other issues such as pricing and terms and conditions are closely interlinked with access, the scope of the consultation paper was limited to bulk mail access points as provided for in Regulation 4(1)(b) (ii) of the Regulations. DX Ireland, in its response to consultation, states its understanding that bulk mail access agreements and downstream access are separate matters:

“Please note that DX Ireland has assumed that any Bulk Mail Access Agreement will not be a substitute for a Downstream Access Agreement which is also required”

ComReg again confirms that downstream access is an issue that falls outside the scope of this consultation.

⁶ See paragraph 4.1 of Consultation Paper 06/53

5 Direction to An Post

The Secretary
An Post
GPO
O'Connell Street
DUBLIN 1

Direction under Regulation 4(1)(b) of the European Communities (Postal Services) Regulations, 2002

Dear Secretary

The Commission for Communications Regulation in accordance with Regulation 4(1)(b) of the European Communities (Postal Services) Regulations, 2002 (“the Regulations”), having consulted with interested parties⁷ and having published its response to said consultation⁸, hereby issues a direction to An Post, a designated universal service provider, in order to ensure that the density of access points takes account of the needs of users.

Interpretation

In this Direction, the terms “access points”, “public postal network”, “universal service provider” and “users” have the same meaning as set out in Regulation 2 of the Regulations.

Direction

An Post, whenever it applies special tariffs, including for services for businesses, bulk mailers or consolidators of mail from different customers, shall within three months from the date of this direction provide full and unconditional access to all bulk mailers at each of the 43 access points within the public postal network listed in the Appendix hereto.

John Doherty
Commissioner
Commission for Communications Regulation

31 January 2007

⁷ ComReg document No: 06/53 Consultation Paper: ‘Regulation of Postal Services – Universal Service Obligation – Bulk Mail Access’

⁸ ComReg document No: 07/06 Response to Consultation: ‘Regulation of Postal Services – Universal Service Obligation – Bulk Mail Access’

	County Council Administrative Area	City / Town / Locality of Access Point
1	Dublin City	Dublin (Cardiff Lane)
2	Dun Laoghaire- Rathdown	Sandyford Industrial Estate
3	South County Dublin	Dublin Mail Centre (Knockmitten)
4	Fingal	Swords
5	Cork City	Cork - City
6	Cork County	Cork Mail Centre– Little Island
7		Mallow
8	Limerick city & county	Limerick
9	Galway city & county	Galway
10		Tuam
11	Waterford city & county	Waterford
12		Dungarvan
13	Louth	Dundalk
14		Drogheda
15	Wicklow	Bray
16	Clare	Ennis
17		Shannon
18	Kerry	Tralee
19		Killarney
20	Kilkenny	Kilkenny
21	Sligo	Sligo
22	Meath	Navan
23	Carlow	Carlow
24	Kildare	Naas
25		Droichead Nua
26		Maynooth
27	Wexford	Wexford
28	Tipperary SR	Clonmel
29	Westmeath	Athlone Mail Centre
30		Mullingar
31	Donegal	Letterkenny
32		Lifford
33	Laois	Portlaoise Mail Centre
34	Mayo	Castlebar
35		Ballina
36	Offaly	Tullamore
37	Longford	Longford
38	Tipperary NR	Thurles
39		Nenagh
40	Cavan	Cavan
41	Monaghan	Monaghan
42	Roscommon	Roscommon
43	Leitrim	Carrick-on-Shannon

Appendix A – Legislation

Regulation 4(1)(a) of the Regulations states: “Users at all points in the State shall enjoy the right to a universal service (“universal service”) involving the permanent provision of a postal service of a specified quality and, subject to Regulation 9(1) at affordable prices for all users.”

Regulation 4(4) of the Regulations requires that the universal service shall include a minimum set of facilities, described therein. ComReg issued a Consultation Paper⁹ in March 2005 requesting views from interested parties to ascertain what specific services should be included as universal services. That consultation culminated with the publication of a Response to Consultation¹⁰ in November 2005, which included a working definition of the universal service. Three bulk mail services were suggested in the consultation paper and all of the responses to consultation fully supported all three services to form part of the working definition of the universal service.

The three services are:

- (i) a service offering ‘delivery only’ to businesses, bulk mailers or consolidators of mail from different customers who are able to present their mail sorted in delivery sequence or by delivery office;
- (j) a service offering ‘deferred delivery’ to businesses, bulk mailers or consolidators of mail from different customers; and
- (k) a service offering a combination of ‘delivery only’ and an extended delivery cycle (e.g. the existing An Post Postaim service, without any restriction as to content).

Regulation 9(3) of the Regulations provides that whenever An Post applies special tariffs, including those for bulk mailers, it “shall apply the principles of transparency and non-discrimination with regard both to the tariffs and to the associated conditions.” Such tariffs for bulk mail must take account of An Post’s avoided costs (e.g. pre-sorted mail) as An Post is only required to provide part of the value chain.

⁹ ComReg document No: 05/16 Consultation Paper: The Universal Postal Service - Formulating a working definition’

¹⁰ ComReg document No: 05/85 Response to Consultation: The Universal Postal Service – A working definition’