

TNT Post response to proposed modifications to the PCOPA

We support the changes and offer the following additional observations:

Clause 16.2 – OFCOM has indicated that it wishes the parties to access agreements to consider effective ADR processes which automatically apply to disputes. We would welcome OFCOM's support for a similar process to be followed in the PCOP Agreement. Cheap and effective dispute resolution will help ensure a more efficient multi-operator environment. This is not a request for a specific change, at this point in time.

Schedule 2, paragraphs 7 and 8 - we note that the values of P and F have not been increased in line with the indexation rules which applied to the original prices which were set in 2006. It is not clear if this is deliberate or an oversight. We very much welcome the requirement that the values be published each year. It would be useful to specify how and where it is to be published and confirm that this is by the Secretary. Will the amount be published on 1 January or 1 April or some other date? Given the increased importance of this agreement, it is important that we are made aware of the applicable rate. Suggested wording to replace "and this value should be published each year" might read, as a new sentence: "The Secretary shall publish in a prominent location the values of "P" and "F" each year, prior to their coming into effect on [1 April], and shall notify all the parties post."