

Dear Paul

BT RESPONSE TO THE CONSULTATION ON A CONSOLIDATED WIRELESS TELEGRAPHY
LICENCE-EXEMPTION REGULATION

Thanks for the opportunity to comment on the Consolidation process together with proposals in respect of the exemption of further bands a 5GHz and 58GHz.

As you will be aware from discussions with other colleagues in BT during this process we have fully participated in the process and are indeed fully supportive of the proposals contained in your consultation. In order to minimise further delays we are also continuing to participate in the further studies required to clarify the position in respect of Band C at 5GHz.

By way of clarification however, it is our understanding that the consolidation exercise which you propose takes the three existing amendments to the existing Regulation and produces a new Regulation which is the same in every detail to the effect of the original plus three amendments. In other words there should be no requirement to lay the resulting Statutory Instrument for a further 28 days since it is exactly that - a consolidation exercise. However is this 28 day consultation the statutory period at the end of which the 5GHz and 58GHz spectrum will become licence exempt also? Or is there a further requirement to lay a further new statutory instrument before parliament for another 28 days before those bands do in fact become licence exempt? It is extremely unfortunate if the latter is indeed the case, and the full end to end process is taking what might be regarded as an unacceptably long time to achieve something which apparently everyone has agreed on through a very detailed and lengthy consultation process. Indeed I believe the RA was itself hopeful of having the policy fully implemented within the September October timeframe.

We would be very grateful for clarification on this point and if it is indeed the case that there is a further period of delay entailed in the making of the Regulation then we do wonder whether there would be some point in exploring ways of strategically running elements of the consultation in parallel in order to prevent such delays. This seems particularly the point here, where it cannot be in anyone's interest to have Government Ministers personally involved in the minutiae of deregulation of individual bands of spectrum, simply by virtue of the need to take care of the detail on a band by band basis. It was clearly the intention that the Interface Regulations would deal with the detailed technical position.

Yours Sincerely

Lorraine Flawn

Lorraine Flawn

UK Regulatory Policy Manager
4th Floor Dowgate Hill House
14-16 Dowgate Hill
London
EC4R 2SU

Telephone: Office 020 7728 4189
Teleworking 01279 871554
Mobile 07850833957