

The comments below are offered on behalf of Trinity House, the lighthouse authority for England, Wales and the Channel Islands.

The objectives of spectrum trading - improving the efficiency of spectrum use and increasing the flexibility of spectrum assignments are obviously to be supported, on condition that the stated safeguards for public safety services and international obligations are effective.

The first wave of the introduction of spectrum trading affects some licence sectors used by the lighthouse authorities public wireless networks, broadband fixed wireless access and private business radio. The lighthouse authorities are customers for these services, not providers, however spectrum trading could result in change of ownership, reconfiguration or change of use. There would be concern that such changes could have an impact on services used for remote monitoring, for example.

The second wave of licence sectors proposed for spectrum trading includes aeronautical and maritime. The qualification is made in the case of aeronautical and maritime, that notification and registration proceedings used, for example, for search and rescue purposes would need to be retained on grounds of safety of life. It is assumed that the VHF Maritime Mobile Service (MMS) is being considered here, although this is not stated. Any application of spectrum trading to radio-determination bands would be unworkable and would be ruled out by international obligations. It is questionable whether such obligations also rule out consideration of the MMS as well, since parts of the band are governed by GMDSS and other international agreements. Clarification is needed on the services being considered for spectrum trading.

It is noted that trading at the simplest level, i.e. change of ownership, could be applied to all sectors. Exceptions include certain licences within the aeronautical and maritime sector, again no details are given and clarification is needed.

Answers to the questions posed in the spectrum trading document would be as follows:

Q1 As users rather than service providers, the lighthouse authorities would be concerned about reconfiguration or change of use of services

that might affect their operations, such as the monitoring of remote installations using public wireless networks.

Q2 The regulatory and enforcement roles of the RA are essential. If these are to be taken over by Ofcom, its involvement should be at the same level.

Q3 This question is for service providers, users would be concerned about continuity and reliability of service.

Q4 As above.

Q5 The lighthouse authorities use public wireless networks for monitoring remote installations required for safety of maritime navigation. Any trading in these services that could affect their reliability would be a matter for concern.

Q6 The aeronautical and maritime sectors are not specified. All radio-determination and most radio-communication services provided for maritime safety are governed by international agreements. Does this mean that they would be outside the scope of spectrum trading?

Q7 Reconfiguration and change of use should be matters for international or regional agreement.

Q8 The need for efficient spectrum use is of growing importance, therefore means to improve efficiency and flexibility should be introduced as soon as safeguards are in place to ensure public safety and compliance with international agreements.

Q9 Not applicable to end-users.

Q10 Change of use and reconfiguration should not be permitted if they affect the end use to which the services are being put.

Q11 As in Q6, details of the maritime services under consideration are needed.

Q12 Different rules could be justified by the importance of different services.

Q13 Where there are implications for safety services.

Q14 to 25 are aimed at service providers.

Q26 The draft Regulatory Impact Assessment appears to be sound, although it does not take account of the effect on third parties or end-users. The market will tend to favour the most profitable short-term

deal, not the best service to the user. Changing circumstances may make

it necessary to reverse the process at a high cost - a recent example arose in the US where maritime mobile channels had been sold to other users and were subsequently needed to comply with internationally regulated systems.

Regards

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