

Question 1: What can Ofcom do to encourage timely standards development for new build NGA wholesale access products and interfaces? Which industry body is best placed to undertake the standardisation of these products and interfaces? What action should Ofcom take if these standards fail to materialise?:

We believe that Ofcom should keep a watching brief over major developments currently proposed or being rolled out and ensure that the developers of such sites are fully aware of their regulatory responsibilities while allowing thoroughly developed business models to be implemented. We believe that any standards should be based on technology-agnostic passive infrastructures which will not restrict future service delivery but will allow competition and innovative services to flourish. Active delivery of services over such infrastructures will be determined by the market and will largely be dependent upon back-haul and wholesale services which are currently available. Ofcom is probably best placed to oversee the formulation of these standards from a technical and regulatory standpoint and would be in the best position to impose operating restrictions should those standards fail to materialise.

Question 2: Do you agree with Ofcom's approach to promoting competition and consumer choice in new build fibre access deployments?:

Yes. We are firmly of the belief that, subject to sufficient regulatory standards being in place to protect consumers, Ofcom's approach of limited intervention will allow entry into the market of a totally new generation of network operators, service providers and business models which can only improve competitiveness and the range of attractive products available to consumers.

Question 3a: Do you a. believe that the existing obligations must be met by replicating the existing copper products, or that an alternative approach could be satisfactory? What are the implications of replicating existing products on fibre?:

Absolutely not. We believe that the advent of NGA networks provides us with a unique opportunity to further open the market to a new breed of network operators and service providers who will promote innovation and competition resulting in enhanced services to consumers and more attractive product offerings. The implications of attempting to replicate existing products on fibre will result in a sterile investment environment and a lost opportunity to further develop the market.

Question 3b: Do you agree that SMP holders rolling out fibre do not need to roll out a copper network in parallel solely to meet their LLU obligation?:

Yes. We believe that an obligation to deliver a parallel copper network will significantly reduce incentives to developers, operators and other stakeholders to invest in NGA networks.

Question 3c: Do you agree with Ofcom's approach in relation to WBA and new build areas?:

Yes. We believe that a policy of firm regulation with limited intervention is the best course to pursue in order to promote innovation and extend competition.

Question 3d: Do you believe that the WLR obligation must be met by replicating the existing copper product, or that an alternative approach based on an ALA-type product would be satisfactory?:

We believe that attempting to replicate existing copper products will reduce innovation in the market and will ultimately lead to a limitation in the availability of competitive products over NGA networks. An ALA-type product would certainly be a satisfactory approach.

Question 3e: Do you believe that the CPS obligation must be met by replicating the existing copper product or that an alternative approach based on an ALA type product would be satisfactory?:

We believe that attempting to replicate existing copper products will reduce innovation in the market and will ultimately lead to a limitation in the availability of competitive products over NGA networks. An ALA-type product would certainly be a satisfactory approach.

Question 3f: Do you believe that the IA obligation must be met by replicating the existing copper product or that an alternative approach based on an ALA type product would be satisfactory?:

We believe that attempting to replicate existing copper products will reduce innovation in the market and will ultimately lead to a limitation in the availability of competitive products over NGA networks. An ALA-type product would certainly be a satisfactory approach.

Question 3g: Do you agree with our proposal to interpret GC 3.1 (c) as being met through the provision and use of a battery backup facility to maintain uninterrupted access to emergency services in new build developments?:

We believe that the interpretation is correct but would wish to ensure that consumers are better informed about the decisions that they need to take with regard to lifeline services. The provision of battery back-up facilities will significantly impact the cost of delivery of NGA voice services and consumers need to be aware of why these additional costs are necessary. We believe that consumers should be able to make informed decisions about their choice of service. For instance, we believe that many consumers who currently choose DECT hand-sets as their only communication devices are unaware that lifeline services would not be available in the event of a local power failure.

Question 4: Do you think access to the duct network, including non telecoms duct, is a potentially feasible means of promoting competition in new build? If so what types of commercial and operational models could successfully support such access arrangements in the UK?:

While all avenues of service delivery should be explored, we believe that non-telecoms duct access is less important in the new build environment than for existing subscriber locations. While there is a very good case to allow the use of non-telecoms duct for back-haul requirements (and we believe that there is very little restriction relating to this in current provisions) direct NGA access to new build site in particular should be via standardised telecoms style ducts to ensure a continuity of approach in new build developments.

Comments: