

**Title:**

Mr

**Forename:**

Magnus

**Surname:**

Kelly

**Representing:**

Organisation

**Organisation (if applicable):**

Mundio Mobile Ltd

**Email:**

[REDACTED]

**What do you want Ofcom to keep confidential?:**

Keep nothing confidential

**If you want part of your response kept confidential, which parts?:**

**Ofcom may publish a response summary:**

Yes

**I confirm that I have read the declaration:**

Yes

**Ofcom should only publish this response after the consultation has ended:**

Yes

**Additional comments:**

**Question 3.1: Do you agree with our views on whether and when new MCPs should form separate markets? Are there any factors we have not considered which should inform this view?:**

Agree that new MCP's should form separate market and also feel that new MCPs should have a longer glide path, perhaps two extra years as new MCPs generally have a more recent investment of capital.

**Question 3.2: Are there any other types of providers we should also consider?:**

Not currently aware of any.

**Question 3.3: Do you agree with our views on the specific call types that should be included in the market? Are there any factors we have not considered which should inform this view, resulting in call types other than those identified being either included or excluded from the market?:**

In broad agreement.

**Question 3.4: Do you agree with our view of that the geographic market for each of our proposed markets should be the area of the UK within which the MCP provides and can set a charge for mobile voice call termination services?:**

In broad agreement

**Question 4.1: Do you agree with our view? Or are there other developments, not considered elsewhere in this consultation document, for potentially removing the underlying causes of SMP?:**

In broad agreement, however also feel that Ofcom needs to review the relation between voice, sms and data as potential issues still exist with SMP on SMS and Data.

**Question 4.2: Do stakeholders have any comments on the analysis set out in this section?:**

In broad agreement.

**Question 4.3: Are there any other providers with SMP that we have not identified?:**

From a logic perspective any number range holder can be argued to have SMP, and new software applications that provide communication features could/should also be included in this category.

**Question 4.4: Do stakeholders agree with our proposed SMP assessment for the period until 2014/15?:**

For the major 4 Mobile networks - Yes - in agreement.

**Question 5.1: Do stakeholders agree with the identified harm to consumers of excessive termination rates in the period 2011 to 2015?:**

In broad agreement, but could be debatable as not 100% clear until fuller spectrum policy is made clear (re-farming and pending spectrum allocation/auction)

**Question 5.2: Do stakeholders consider there to be any other forms of relevant consumer harm that we have not identified?:**

Fragmented national dial plan.

**Question 7.1: do stakeholders agree with Ofcom's view regarding the need for transparency in MCT charges?:**

In broad agreement.

**Question 7.2: Do stakeholders agree with our preliminary view on application of a condition requiring network access to be provided on F&R terms?:**

In broad agreement.

**Question 7.3: what are your views on the need for an ex ante undue-discrimination condition for the period of the next review?:**

In view such back stop would be useful

**Question 7.4: Do stakeholders believe that there are any circumstances or situations where the UK differs from other EU markets to the extent that would support a departure from following the EC Recommendation?:**

Generally see no reason to differ from EU

**Question 7.5: do you agree with Ofcom's proposals for its preferred set of remedies for the provision of MCT services?:**

In broad agreement.

**Question 9.1: Do you agree that a four-year period for the SMP remedies is appropriate?:**

In

**Question 9.2: Do you agree with our proposed modelling approach, as discussed in this section, the supporting annexes and the actual model? If not, please discuss the specific proposals you disagree with.:**

In broad agreement with proposed modelling approach.

**Question 9.3: What is your view of the harm caused by flip-flopping? Please provide evidence to support your response.:**

Flip-flopping has created issues with extra resource having to be used to keep billing systems up to date and delivers a mixed message to the user community.

**Question 9.4: Do you agree with our preferred option for resolving the issue of flip-flopping ? i.e. charge changes restricted to the first day of each quarter and a 20% cap on individual time of day rate increases? If not, why not? Which is your preferred option and why? You may want to include discussion of the following in your response: the specifics of each option, e.g. the 20% cap in our preferred option, the effectiveness of the options in addressing the objectives, the practicalities of the options for you, any disadvantages/adverse effects of these options for you, and any other information or views that you feel are relevant to preventing flip-flopping.:**

In broad Agreement.

**Question 9.5: Are there other, more proportionate solutions that we should consider?:**

Not aware of any

**Question 9.6: Is it clear which types of calls are included in, and which types are excluded from, the new charge control and in turn the compliance calculation? If not, which call types do you want clarified?:**

Seems relatively clear.

**Question 9.7: Is Ofcom taking the right steps to monitor compliance?:**

Ofcom should perhaps be quicker to act in terms of ensuring the nation at large does not suffer from patchy network number coverage and fragmented dial plan.

**Question 9.8: Are MCPs able to provide the information required to demonstrate compliance and for Ofcom to monitor compliance?:**

Broadly in agreement.

**Question 9.9: Do you agree with the conclusions of our distributional impact assessment?:**

Broadly in agreement.

**Question 9.10: Do you agree with our EIA, that reducing MTRs will have no significant impact on any specific identifiable group? If you disagree with this**

**statement we would welcome any evidence you hold showing why this statement might be incorrect.:**

Broadly in agreement.