

**Additional comments:**

**Question 1: Do you agree that clearing DTT from channels 61 and 62 and PMSE from channel 69 to align the upper band of cleared spectrum in the UK with the emerging digital dividend in other European countries is likely to further the interests of citizens and consumers to the greatest extent?:**

Clearing these channels appears to provide an opportunity to further the interests of citizens and consumers though we are concerned about some aspects of the process. There are some international discussions related to this spectrum due to take place and the outcome could affect the availability of this spectrum. Also we are concerned that the Government or the new licensees may not provide the required funding for clearing the channel and we wonder how the lack of this funding would impact on the clearance process.

**Question 2: Do you agree that the proposed DTT migration criteria are proportionate and appropriate? If not, please explain why and clearly identify any other criteria you believe should be adopted and why.:**

The proposed criteria appear to be proportionate and appropriate.

**Question 3: Do you have views on the options identified and our assessment of them? Do you believe there are other, superior options, and, if so, why? Do you agree that the hybrid option is most consistent with the DTT migration criteria?:**

On the basis of the information provided the hybrid option appears to be the most appropriate. However we have two concerns, firstly in the comparison of the three options the coverage impact of changes in other countries spectrum plans is treated differently and we wonder what impact a more consistent approach would have and secondly the high number of retunes associated with this option. Unfortunately there does not appear to be any other viable option.

**Question 4: Do you have views on the implementation-timing options identified and our assessment of them? Do you agree that DSO-integrated implementation is most consistent with the DTT migration criteria? If not, why not?:**

To meet the needs of Digital Britain it is possible that the cleared spectrum may be required before 2014 so consequently there is a need to consider the implications if this spectrum is required earlier.

**Question 5: Do you agree that a programme-control and -governance arrangement such as that outlined above is appropriate?:**

We agree that these procedures are needed though we wonder if conflict resolution should be included as well as we consider there might be significant potential for disagreement between the parties involved.

**Question 6: Do you agree that the four cost categories adequately capture the costs associated with clearing DTT from channels 61 and 62? Are there any costs that do not appear to have been accounted for in any of these categories?:**

The four categories identified appear to represent all the major costs involved.

**Question 7: Do you agree that our cost profile is a reasonable basis for planning the capital expenditure for clearing DTT from channels 61 and 62?:**

The cost profiles appear to provide a good basis for planning purposes. However we consider that there is a need to take into account that if another option was selected it might involve a different profile or amounts.

**Question 8: Do you agree that these are the most appropriate criteria to assess which spectrum is the best alternative to channel 69 for PMSE?:**

We consider that the criteria appear to be appropriate though we feel there is a need to explore the economic issues further.

**Question 9: Do you agree with our technical and coverage analysis of the possible alternatives to channel 69 for PMSE?:**

We are in agreement with the analysis.

**Question 10: Do you agree with our economic assessment of the realistic alternatives to channel 69 for PMSE?:**

We are concerned that the spectrum values quoted may not be valid and are particularly concerned regarding the interleaved option where the application will be sharing with licence-exempt spectrum. Consequently we consider that too a high a valuation has been placed on the spectrum and a more appropriate value needs to be determined.

**Question 11: Do you agree that channel 38 is the best alternative to channel 69 for PMSE?:**

On the basis of the analysis it appears to be the best option subject to our comments related to other questions.

**Question 12: Do you agree that we should award channel 38 to the band manager on the same terms as would have applied to channel 69?:**

Yes unless there is any justification for different terms as a result of this consultation or other activities conducted by Ofcom.

**Question 13: Do you agree with our proposal to maintain PMSE access to channel 36 on 12 months? notice to cease and to the rest of the cleared spectrum (channels 31-35, 37 and 61-69) until DSO is completed in the UK in late 2012?:**

This appears to be appropriate action to take

**Question 14: Do you agree with our approach to determining eligibility for, and our assessment of the level of, funding to move PMSE from channel 69?:**

The range of values of £ 5m to £ 18M for the funding required appears to be very wide and we consider that a more accurate projection of the funding required should be developed. A more accurate value will be required when determining the means of funding the required changes.

**Question 15: Do you agree that three years is long enough for PMSE to move from channel 69?:**

It appears to be an appropriate period though it may be more realistic to start in 2010 rather than late 2009 and the implications of a later start need to be considered.

**Question 16: Do you agree that with our analysis of the key impacts of our policy options? Are there any other key impacts we should assess?:**

A comprehensive range of impacts has been considered and we cannot identify any others for inclusion. However we not convinced that the analysis of these impacts is correct though currently we are unable to develop any other more appropriate analysis.