

**Title:**

Mr

**Forename:**

John

**Surname:**

Cunliffe

**Representing:**

Organisation

**Organisation (if applicable):**

Ericsson Ltd

**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:**

Ericsson endorses the following broad principles:

• Consumers should be entitled to access the lawful Internet content of their choice that complies with the terms of their service plans, including bandwidth limits and quality of service considerations, so long as that content does not unreasonably harm or degrade a carrier's network.

- Consumers should be entitled to run applications and services of their choice that comply with the terms of their service plans, including bandwidth limits and quality of service considerations, and that do not unreasonably harm or degrade a carrier's network.

- To ensure quality of service and coverage, wireless carriers are entitled to choose which devices they will support on their networks. Wireless consumers are entitled to choose from a variety of carrier supported products.

- There should be competition among network providers, application and service providers, and/or content providers.

- Consumers are entitled to full and fair disclosure of the terms and conditions of their service plans, including the applicable rates for service.

- Network operators should have the authority to manage network traffic, prioritize traffic, and otherwise adjust network resources to ensure coverage and quality of service so long as their network management is done in a pro-competitive manner.

**Question 1: How enduring do you think congestion problems are likely to be on different networks and for different players?:**

State of the art speeds in the access, backhaul and core of networks are ahead of that which has generally been deployed, i.e. further investment could ease congestion problems. This comment applies to both fixed and mobile networks. That said, the need for Network Management will continue:

- as future user behaviors evolve
- to manage users who break fair usage rules
- as the networks themselves go through upgrades to ease the load on hotspots (a managed network is better for all than an overloaded network)
- to be able to offer guaranteed QoS services

**Question 2: What do you think are possible incentives for potentially unfair discrimination?:**

**Question 3: Can you provide any evidence of economic and or consumer value generated by traffic management? :**

**Question 4: Conversely, do you think that unconstrained traffic management has the potential for (or is already causing) consumer/citizen harm? Please include any relevant evidence. :**

**Question 5: Can you provide any evidence that allowing traffic management has a negative impact on innovation? :**

**Question 6: Ofcom's preliminary view is that there is currently insufficient evidence to justify ex ante regulation to prohibit certain forms of traffic management. Are you aware of evidence that supports or contradicts this view? :**

**Question 7: Ofcom's preliminary view is that more should be done to increase consumer transparency around traffic management. Do you think doing so would sufficiently address any potential concerns and why?:**

**Question 8: Are you aware of any evidence that sheds light on peoples' ability to understand and act upon information they are given regarding traffic management?:**

**Question 9: How can information on traffic management be presented so that it is accessible and meaningful to consumers, both in understanding any restrictions on their existing offering, and in choosing between rival offerings? Can you give examples of useful approaches to informing consumers about complex issues, including from other sectors?:**

**Question 10: How can compliance with transparency obligations best be verified?:**

**Question 11: Under what circumstances do you think the imposition of a minimum quality of service would be appropriate and why? :**