

**Organisation (if applicable):**

Department of Enterprise, Trade and Investment

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

Keep name confidential

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

Response should be recorded as received from Department of Enterprise, Trade and Investment

**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:**

You may publish my response on receipt

**Additional comments:**

The Department of Enterprise, Trade and Investment (DETI) welcomes the opportunity to respond to OFCOM's consultation on its Draft Annual Plan priorities for 2012/13.

Aspects of the OFCOM work programme are relevant to the Department's own forward work programme and OFCOM is asked to note the following as the Department's response.

Investing £150m in new infrastructure to improve mobile coverage

DETI notes the OFCOM assessment of mobile not-spots in each of the nations.

Mobile coverage is an issue which the Department has raised on a number of occasions with OFCOM. In so doing it has raised not only the not-spots issue but also the problem of international roaming, Northern Ireland being the only part of the UK with a land-border with another jurisdiction.

DETI has engaged with OFCOM Northern Ireland on these issues and has also noted that OFCOM will have a role in identifying how funds might be allocated under the Chancellor's funding initiative.

The Department is in discussions with Broadband Delivery UK and the Department for Culture, Media and Sports to develop an innovative pilot project to examine how mobile can be used nationally to achieve superfast and 2Mbps broadband ambitions.

DETI considers that there is potential overlap in the ambitions and time-tabling of the pilot project, the use of funds from the Chancellor's initiative and OFCOM's role in the auction and award of 4G spectrum. This presents an opportunity to deliver in Northern Ireland a single investment in the mobile networks to address not only existing problems with voice services, but also to future-proof the networks for delivery of 4G services. Initial discussions between the Department and Mobile Network Operators on the merits of a single procurement process to deliver such a project have elicited positive response. DETI calls on OFCOM to work constructively with the Department to mutual benefit.

#### Consultation on and auction of 4G spectrum

DETI has responded to OFCOM's first consultation on this matter and will seek to comment as appropriate on the next consultation paper.

The imposition of national 2G and 3G coverage obligations currently has not delivered services to some remote rural areas of NI and that has been raised by the Minister and officials several times. It is clear the current mechanisms to stimulate investment in these areas are not having the desired effect and there is a view that the mobile companies are ignoring more rural customers. The 4G auction represents a unique opportunity for OFCOM to consider how it can best represent the interests of these citizens and consumers and devise mechanisms to ensure that their needs can be satisfactorily addressed so they too can share in the benefits of the Digital Dividend.

DETI recognises the importance of getting the arrangements for the spectrum auction and award correct. However, 4G spectrum provides considerable opportunity to contribute to the achievement of the superfast and 2Mbps ambitions under the BDUK initiative. Unnecessary delay in the process will push back achievement of benefits that the award of spectrum can bring.

With 3G coverage in Northern Ireland considerably behind the UK average the opportunity to bring forward a pilot project with BDUK funding presents considerable opportunity to address this issue and to future-proof networks to the benefit of rural Northern Ireland. It also presents opportunity for national learning.

To that end DETI welcomes the engagement to date with OFCOM Northern Ireland and again calls for ongoing constructive engagement to our mutual benefit.

#### Broadband speeds research

DETI welcomes the commitment to undertake and publish further research on broadband speeds. Such research will clearly supplement that which has already been undertaken to present the First Communications Infrastructure Report to the Secretary of State for Culture, Media and Sport. It will also provide a useful source of information to consumers seeking to choose broadband suppliers.

DETI also welcomes the proposal to assess provision of communications services in the nations and to reference interventions made at UK, Devolved and local levels.

DETI has made a significant investment to deliver one of the first and to date most comprehensive next generation rollout programmes in the UK. The investment has been

referenced by other nations and regions and has provided opportunity for bodies bringing forward investments under the BDUK programme to help shape their own investment programmes.

DETI was disappointed by the fixed line speeds analysis published by OFCOM in summer 2011 which, while recognising the investment, neglected to consider its impact on speed of services available. OFCOM's commitment to examine the extent of provision in the nations presents an opportunity to address this deficiency in its earlier research and to offer a case study on the Northern Ireland experience and achievement. This will be of particular importance in circumstances where other regions and nations are seeking to show the likely impact of investment under the BDUK initiative, with 14% of all new superfast connections in the UK currently in Northern Ireland.

Furthermore, as broadband can be delivered by a number of technologies it will be important that all of them are included in the speed research work that OFCOM is undertaking. We look forward to the development of recognised methodologies that can be used to verify broadband speeds".