

**Forename:**

Name

**Surname:**

Withheld 1

**Representing:**

Self

**Organisation (if applicable):**

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

Keep name 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:**

You may publish my response on receipt

**Additional comments:**

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

I believe that congestion problems are likely to worsen, at least in the short term, as demand for data services may well exceed available supply - particularly at times of peak demand.

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

no comment

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

no comment

**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. :**

From the point of view of a consumer I find traffic management invidious. My ISPs threaten it and yet it seems impossible to determine what criteria they use (other than undefined "excessive use"). As a consumer I feel that there is a threat hanging over me.

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

no comment

**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? :**

no comment

**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?:**

Yes, I believe that any ISP that uses traffic management should (a) publish a clear and precise set of criteria that define when traffic management may be imposed on a consumer and (b) provide account tools that allow a consumer to see whether they are approaching the trigger point(s). Furthermore, automatic warning notices should be issued eg by e-mail to alert a consumer well before implementing traffic management on their account, in order that the consumer has the opportunity to take appropriate corrective or reductive action.

**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?:**

I have no evidence that people generally understand traffic management. My experience recently (May-June 2010) in looking for a new ISP suggests that service providers do not try very hard to explain their traffic management policies in other than the most general terms.

**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?:**

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(a) could perhaps be presented quite simply in a graphical format, charting use against time of day, with a clear threshold indicating how close the consumer is to the "line".

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

no comment

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

I believe that all consumers should be entitled to a specified minimum quality of service (MQOS). This could take the form of, say, a guaranteed minimum actual bitrate for all certain service types (eg video, voice). Auch technical means as necessary should be employed to differentiate between, say, video traffic and p2p file sharing, throttling the latter for the benefit of the former. The policies should be spelled out in the terms of service.