

Cotswold Wireless

Question 4.1: What use, if any, would you make of the top 2x10 MHz of the 800 MHz band in the second half of 2012 if it were available for use? What would be the benefits for citizen and consumers of such availability?

At this point in time there are very few if any consumer devices using sub 1GHz, so the value to consumers is minimal.

Question 4.2: If we were to offer shared access low-power licences in some way, do you have any comments on the appropriate technical licence conditions which would apply for the different options?

No comment

Question 5.1: Do you agree that national wholesalers need a reasonable overall portfolio of spectrum to be credible providers of higher quality data services? In particular, do you agree that national wholesalers need some sub-1 GHz in order credibly to be able to offer higher quality data services? Please state the reasons for your views.

Sub 1GHz offers good potential for data services however we don't consider it essential that providers have sub 1GHz spectrum. At the moment sub 1GHz is already allocated to some providers and it's not being used or actively marketed because of the lack of consumer devices, for this reason we consider it is not necessary for credibility.

Question 5.2: Do you agree there is a material risk of a significant reduction in the competitive pressures, at least to provide higher quality data services, in retail and wholesale markets without measures in the auction to promote competition? Please state the reasons for your views.

The consumer needs a balanced choice for data services with multiple providers able to provide services. To ensure that this happens it's appropriate to promote competition using the auction process.

Question 5.3: Do you agree there is a risk of potentially beneficial sub-national RAN uses not developing without measures to promote competition? Please state the reasons for your views.

We agree that sub-national RAN's will not develop without measures to promote competition We might be considered in this category as we have a wireless network covering over 100 sq kms.

In order to develop our networks we need the following:

Ofcom to retain some spectrum for specific use in rural networks with similar licensing conditions to Band C. The reason for this is that we are already maximising the available spectra and we need to be able to build new networks to meet customer demand which will be generated by the BDUK 'Community Hub' proposals.

Delivery of 50 -100Mbit capacity in the 5 -10Km radius of a community hub can only be delivered cost effectively by high speed wireless.

2.6GHz or 900Mhz could be used.

Question 5.4: Do you agree with the analysis that at least four competitors are necessary to promote competition?

Yes

Question 5.5: Do you agree that the specific measures we propose to take to ensure there are at least four holders of such spectrum portfolios are appropriate and proportionate?

Yes

Question 5.6: Given the measures we propose to take to ensure four holders of spectrum portfolios sufficient credibly to provide higher speed data services, do you agree that it would not be appropriate or proportionate to introduce a regulated access condition into the mobile spectrum licences to be awarded in the combined award?

We believe there should be regulated access conditions in the combined award to maximise the value to the consumer over the lifetime of the licenses.

Question 5.7: Do you consider that we should take measures to design the auction to assist low-power shared use of 2.6 GHz? If so, what specific measures do you consider we should take?

Ofcom to retain some 2.6GHz spectrum for specific use in rural networks with similar licensing conditions to Band B and Band C.

Question 6.1: Do you have any comments on the proposal to include in one of the 800 MHz licences an obligation to serve by the end of 2017 an area in which 95% of the UK population lives, while providing a sustained downlink speed of 2Mbps with a 90% probability of indoor reception? Do you think there is another way of specifying a coverage obligation that would be preferable?

Basing the test on population is seriously flawed, looking at a population density map shows that only small areas of the country would need to be served to meet the test. Returning us to a similar situation as we currently have with 3G where coverage outside populated areas is poor or missing.

A much better test would be a location based test using the locations of the community hubs that should be in place by this time.

Question 6.2: We would welcome views and evidence on the costs and benefits of imposing an additional coverage obligation focussed on particular geographical areas, and if such an obligation were to be imposed what might be the appropriate specification of geographic areas?

No Comment

Question 6.3: Do you have any comments or evidence on whether an additional obligation should be imposed to require coverage on specific roads?

No Comment

Question 6.4: Do you have any comments on our proposal not to use the combined award to address existing not-spots?

We agree that this consultation is not the place to address the notspot issue directly but in the wider context of delivery of services it cannot be ignored. We note with dismay section.

*6.50 (**Broadband Delivery UK, in its report on the conclusions of its Theoretical Exercise⁶⁹, considered broadband access would be delivered cost effectively to between 90% and 95% of premises by fibre, 5%+ by high-speed fixed wireless access and about 1% by satellite)***

The numbers in this paragraph are clearly nonsense, to get to 90% - 95% Openreach concluded an investment of £15 – £20 billion would be required to deliver fibre at that level, We note that the sale of spectrum is expected to produce about £780 million only about 5% of the required investment.

We believe that by altering the requirements from a population coverage test at 90% to a location based test at 90% at least some of the notspot issues might be addressed. Looking at coverage from a purely population basis means than in order to meet the 90% value a licensor would only have to invest in population hotspots and we would see a repeat of the current situation with 3G where services away from population centres is poor or non existent.

Question 6.5: Do you have any comments on our proposal not to impose ‘use it or sell it’ obligations but to consider including an additional power to revoke during the initial term of the licences?

We think that both powers should be available to ensure that licensors do not start a deployment in the most profitable areas and then fail to carry it forward.

Question 7.1: Do you have any comments on the proposals relating to the duration of the initial licence period, our rights to revoke the licence during this period, the charging of licence fees after the end of the initial period and our additional revocation powers following the initial period?

Ofcom's record in enforcement is lamentable this has to change if the consumer is to get the choice of solutions and value proposition they have a right to expect.

The license period should be split up in to review segments, 1,3, 5,10 years to give 19 years total, this review structure will allow for enforcement to be effective with regard to coverage and capability provisions in the licenses. For example:

Within 1 year of license award, the licensor must demonstrate coverage equal to existing 3G provision, Within 3 years the licensor must demonstrate coverage equal to existing 2G provision. Within 5 years the licensor must demonstrate coverage equal to 90% probability of connection at 90% of locations.

Failure to meet the schedule should trigger additional license fees to allow under performance with removal of the license being triggered by two additional fees being demanded.

Question 7.2: Do you have any comments on the proposal to amend the spectrum Trading Regulations to apply to the auctioned licences in the 800 MHz and 2.6 GHz bands, to include a competition check before we consent to a spectrum trade of mobile spectrum and not to allow transfers that would increase the number of 2.6 GHz low-power licensees?

No Comment

Question 7.3: We welcome views on the merits of the proposed approach to information provision; in particular concerning the type of information that may be helpful and any impacts that publication of information might have both on licence holders and the wider spectrum market.

We need good quality coverage maps that show the provision of fixed line, cable, wireless, 3G and 4G so that areas of poor provision can be identified and targeted with measures to increase competition and customer choice.

Question 8.1: Do you agree with the way in which we are taking account of the main factors relevant to spectrum packaging and why? Question 8.2: Are there other factors that we should consider to develop our approach to packaging? If so which ones and why?

No Comment

Question 8.3: Do you agree with our packaging proposals for the 800 MHz band? Please give reasons for your answer.

No Comment

Question 8.4: Do you agree with our proposal not to allow relinquishment of 900 MHz spectrum and why? Do you have any other comments regarding our packaging proposals for the 900 MHz band?

No Comment

Question 8.5: Do you agree with our proposal not to allow relinquishment of 1800 MHz spectrum and why? Do you have any other comments regarding our packaging proposals for the 1800 MHz band?

No Comment

Question 8.6: Do you agree with our proposal not to make provisions to include 2.1 GHz spectrum in this auction and why?

No Comment

Question 8.7: Which aspects of our packaging proposals for the 2.6 GHz band do you agree with and why?

No Comment

Question 8.8: Do you agree with our proposed approach for eligibility points and why?

No Comment

Question 8.9: Which approach to reserve prices do you think would be most appropriate to secure optimal spectrum use in the interests of citizens and consumers, and why?

No Comment

Question 9.2: Do you have any comments on the proposed auction rules as explained in section 9, Annex 9 and Annex 10? Question 9.3: Do you have any comments on how we should approach the payment of deposits and licence fees?

No Comment

Question 10.1: Do you have any comments on our proposal to use 800 MHz price information as derived from the auction to estimate the full market value of 900 MHz spectrum?

No Comment

Question 10.2: Do you have any comments on our proposal to use an average of 800 MHz and 2.6 GHz price information as derived from the auction to estimate the full market value of 1800 MHz spectrum?

No Comment

Question 10.3: Do you have any comments on the proposed approach to convert lump sum amounts into annual payment?

No Comment