

**Forename:**

Name

**Surname:**

Withheld 2

**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?:**

The only things I want kept confidential are, for obvious reasons, my name and email address.

**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 think it is obvious that there are going to be congestion problems at least until such time as available bandwidth far outgrows our use of it.

I imagine the amount these problems will effect people will be down to how many people are using the same part of the network at once, and what they're doing. If they're just checking their email and browsing the web, probably none whatsoever. If they're using P2P software, or streaming HD video's, it'll get worse.

As for the differences between ISP's, that's likely to depend on their customer base, both in terms of simple numbers and in how concentrated those numbers are in particular locations.

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

There are two main incentives that immediately come to mind. First, force ISP's to maintain a web page that details exactly how they utilise traffic management, I.E. what they limit and how they do so, when the limits apply and whether those limits are different for different customers (say because of their location or download amount).

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

I'd suggest that would be more down to the ISP's themselves to provide than a simple user such as myself.

**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. :**

Certainly, as it is with all things. When businesses can essentially do what they like, that's just encouraging them to abuse such technology to lower their own costs, at the direct expense of the service they provide to the user. I consider myself to be with a very good ISP (Be\*), so I can't provide evidence for this. However old ISP's that I've been with have utilised traffic management, which makes the service they provide less than what is being paid for.

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

Why in God's name would anyone think that allowing traffic management would have 'any' impact on innovation?! I suppose you could say that people might come up with interesting new ways to limit download speeds if it is allowed, but that's a bad thing. The only potential I can think of is that people building new ways of sending data might be discouraged from doing so because they feel it'll be throttled.

**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? :**

I would not say to disallow traffic management, but simply to make it a requirement that ISP's detail it, as explained in answer 2.

**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?:**

If it was done in the way that I outlined in answer 2, then yes I believe it would address the current concerns. At the very least, when browsing for alternative ISP's people would be able to see exactly how their potential new ISP would be limiting them.

This might well be a strong factor for people who use more bandwidth demanding applications to either change or stick with their existing ISP.

**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?:**

Ability to understand? If it's made available in a simple form from a link off the ISP's homepage, people who might be interested in such things shouldn't have any problem finding it or acting on it. It should be something very simple along the lines of:

- We limit bittorrent traffic to 128KBps from 9pm to 11:30pm

Perhaps of course, have a more technical section for people interested in the nitty gritty of it.

**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?:**

As I've said, make ISP's provide a page describing their current policies. Very simply really, don't need a survey to uncover that.

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

Have people report it to you and/or check the websites yourselves occasionally.

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

A minimum quality of service should be outlined in the terms and conditions that are agreed when signing up with your ISP. It has long been a problem that people don't get the speed their ISP promises, and this should be resolved through this method.

