

Question 1: Do stakeholders agree that promoting effective and sustainable competition remains an appropriate strategy to deliver efficient investment and widespread availability of services for the majority of consumers, whilst noting the need for complementary public policy action for harder to reach areas across the UK?:

Yes, providing there are processes which provide a level playing field and ensure that all customers' needs can be met.

We have been concerned for some time about the lack of quality, affordable broadband services for SMEs, the engines of growth and job creation, because of the market strength of BT.

In our locality, SMEs contribute to the supply chains of a number of global companies. Anything which threatens their effectiveness must risk the migration of the global companies elsewhere - to the potential detriment of our local, regional, and national economies.

Although Openreach has been upgrading residential areas for fibre to the cabinet, business parks were left to languish with services as low as 3Mbps - with business owners taking work home to access better connectivity.

In our early days we wished to discuss infrastructure matters with Openreach and had several meetings with them. It soon became clear that it was not possible to meet with Openreach to discuss their infrastructure plans, without BT Group executives being present.

In my opinion this conflict of interest must stifle innovation. By comparison with practice within the highly regulated housing association sector, I was surprised at how much day to day influence the BT Group clearly had over the 'regulated' Openreach.

Question 2: Would alternative models deliver better outcomes for consumers in terms of investment, availability and price?:

As outlined above, the BT Group effective control of Openreach activities must, through its conflicts of interest, stifle innovation and Openreach's ability to meet customers' needs.

In 2008/9 the UK Competition Commission required BAA to sell 3 of its 7 UK airports to avoid a potential strangle-hold on our transport infrastructure. This led to the sale of Gatwick, Edinburgh, and Stansted airports.

With BT having grown by the acquisition of mobile telephony, this must surely be the time for Openreach to be set free, so it can deliver quality, affordable communications infrastructure for all its potential customers - not just for the BT Group. After all, much of the FttC technology is based on the legacy investment in universal service provision - whether for residential or business.

With a truly independent Openreach, BT would be one (important) customer, and Openreach would be able to deliver services needed by and with other customers.

This would benefit our economy and support SMEs and jobs growth, just when this is needed most.

Question 3: We are interested in stakeholders' views on the likely future challenges for fixed and mobile service availability. Can a 'good' level of availability for particular services be defined? What options are there for policy makers to do more to extend availability to areas that may otherwise not be commercially viable or take longer to cover?:

Question 4: Do different types of convergence and their effect on overall market structures suggest the need for changes in overarching regulatory strategy or specific policies? Are there new competition or wider policy challenges that will emerge as a result? What evidence is available today on such challenges?:

Question 5: Do you think that current regulatory and competition tools are suitable to address competition concerns in concentrated markets with no single firm dominance? If not, what changes do you think should be considered in this regard and why?:

Question 6: What do you think is the scope for sustainable end-to-end competition in the provision of fixed communications services? Do you think that the potential for competition to vary by geography will change? What might this imply in terms of available regulatory approaches to deliver effective and sustainable competition in future?:

Question 7: Do you think that some form of access regulation is likely to continue to be needed in the future? If so, do you think we should continue to assess the appropriate form on a case by case basis or is it possible to set out a clear strategic preference for a particular approach (for example, a focus on passive remedies)?:

Question 8: Do you agree that full end-to-end infrastructure competition in mobile, where viable, is the best means to secure good consumer outcomes? Would alternatives to our current strategy improve these outcomes, and if so, how?:

Question 9: In future, might new mobile competition issues arise that could affect consumer outcomes? If so, what are these concerns, and what might give rise to them?:

Question 10: Does the bundling of a range of digital communications services, including some which may demonstrate enduring competition problems individually, present new competition challenges? If so, how might these issues be resolved through regulation, and does Ofcom have the necessary tools available?:

Question 11: What might be the most appropriate regulatory approaches to the pricing of wholesale access to new and, risky investments in enduring bottlenecks in future?:

There are community enterprises which are willing to provide services to the most remote communities, provided they are guaranteed a large enough 'patch' over which to spread their costs.

Unfortunately, the incumbent frequently undermines such attempts, by offering services in a way that undermines such initiatives - without committing to service the out-lying areas / properties.

Once a community enterprise has established a viable 'patch', any competitor should be required to sign up to provision whose geographic spread is at least as widespread as the community enterprise, so that a fare comparison can be made.

In the absence of such a regulatory framework, the incumbents will inevitably work from the middle outwards, leaving the periphery unserved.

The only alternative would be to set in place a new universal service obligation for digital communications.

Question 12: How might such pricing approaches need to evolve over the longer term? For example, when and how should regulated pricing move from pricing freedom towards more traditional charge controls without undermining incentives for further future investment?:

Question 13: Are there any actual or potential sources of discrimination that may undermine effective competition under the current model of functional separation? What is the evidence for such concerns?:

Question 14: Are there wider concerns relating to good consumer outcomes that may suggest the need for a new regulatory approach to Openreach?:

Yes.

We have been concerned for some time about the lack of quality, affordable broadband services for SMEs, the engines of growth and job creation, because of the market strength of BT.

In our locality, SMEs contribute to the supply chains of a number of global companies. Anything which threatens their effectiveness must risk the migration of the global companies elsewhere - to the potential detriment of our local, regional, and national economies.

Although Openreach has been upgrading residential areas for fibre to the cabinet, business parks were left to languish with services as low as 3Mbps - with business owners taking work home to access better connectivity.

In our early days we wished to discuss infrastructure matters with Openreach and had several meetings with them. It soon became clear that it was not possible to meet with Openreach to discuss their infrastructure plans, without BT Group executives being present.

In my opinion this conflict of interest must stifle innovation. By comparison with practice within the highly regulated housing association sector, I was surprised at how much day to day influence the BT Group clearly had over the 'regulated' Openreach.

Question 15: Are there specific areas of the current Undertakings and functional separation that require amending in light of market developments since 2005?:

Question 16: Could structural separation address any concerns identified more effectively than functional separation? What are the advantages and challenges associated with such an approach?:

As outlined above, the BT Group effective control of Openreach activities must, through its conflicts of interest, stifle innovation and Openreach's ability to meet customers' needs.

In 2008/9 the UK Competition Commission required BAA to sell 3 of its 7 UK airports to avoid a potential strangle-hold on our transport infrastructure. This led to the sale of Gatwick, Edinburgh, and Stansted airports.

With BT having grown by the acquisition of mobile telephony, this must surely be the time for Openreach to be set free, so it can deliver quality, affordable communications infrastructure for all its potential customers - not just for the BT Group. After all, much of the FttC technology is based on the legacy investment in universal service provision - whether for residential or business.

With a truly independent Openreach, BT would be one (important) customer, and Openreach would be able to deliver services needed by and with other customers.

This would benefit our economy and support SMEs and jobs growth, just when this is needed most.

Challenges will be articulated to do with the unpicking of previous investments in fibre roll-out etc.

However UK Taxpayers have also heavily invested (at a higher percentage of costs than have applied in other countries) and, in the absence of receiving shares, the Taxpayer ought to see a transformed communications industry that is fit for 21st century purposes.

Question 17: What do stakeholders think are the greatest risks to continuing effective consumer engagement and empowerment?:

Question 18: What indicators should Ofcom monitor in order to get an early warning of demand-side issues?:

Question 19: What options might be considered to address concerns about consumer empowerment at each stage of the decision-making process (access, assess, act)? What more might be required in terms of information provision, switching and measures to help consumers assess the information available to them? What role may Ofcom have to play compared to other stakeholders (including industry)?:

Question 20: Are there examples in competitive or uncompetitive sections of the market where providers are not currently delivering adequate quality of services to consumers? What might be causing such outcomes?:

We have been concerned for some time about the lack of quality, affordable broadband services for SMEs, the engines of growth and job creation, because of the market strength of BT.

In our locality, SMEs contribute to the supply chains of a number of global companies. Anything which threatens their effectiveness must risk the migration of the global companies elsewhere - to the potential detriment of our local, regional, and national economies.

Although Openreach has been upgrading residential areas for fibre to the cabinet, business parks were left to languish with services as low as 3Mbps - with business owners taking work home to access better connectivity.

In our early days we wished to discuss infrastructure matters with Openreach and had several meetings with them. It soon became clear that it was not possible to meet with Openreach to discuss their infrastructure plans, without BT Group executives being present.

In my opinion this conflict of interest must stifle innovation. By comparison with practice within the highly regulated housing association sector, I was surprised at how much day to day influence the BT Group clearly had over the 'regulated' Openreach.

Question 21: What further options, if any, should Ofcom consider to secure better quality of service in the digital communications sectors?:

As outlined above, the BT Group effective control of Openreach activities must, through its conflicts of interest, stifle innovation and Openreach's ability to meet customers' needs.

In 2008/9 the UK Competition Commission required BAA to sell 3 of its 7 UK airports to avoid a potential strangle-hold on our transport infrastructure. This led to the sale of Gatwick, Edinburgh, and Stansted airports.

With BT having grown by the acquisition of mobile telephony, this must surely be the time for Openreach to be set free, so it can deliver quality, affordable communications infrastructure for all its potential customers - not just for the BT Group. After all, much of the FttC technology is based on the legacy investment in universal service provision - whether for residential or business.

With a truly independent Openreach, BT would be one (important) customer, and Openreach would be able to deliver services needed by and with other customers.

This would benefit our economy and support SMEs and jobs growth, just when this is needed most.

Question 22: Might there be future opportunities to narrow the focus of ex ante economic regulation whilst still protecting consumers against poorer outcomes?:

Question 23: Where might future network evolutions, including network retirement, offer opportunities for deregulation whilst still supporting good consumer outcomes?:

Question 24: What are the potential competition and consumer protection implications of the rise of OTT services? Might the adoption of such services enable future deregulation without raising the risk of consumer harm?:

Question 25: Are there any areas where you think that regulation could be better targeted or removed in future? What would be the benefit of deregulation as well as the main risks to consumers and how these could be mitigated? Please provide evidence to support your proposals.: