

## **Comments:**

### **Question 1: Is there information that we are planning to release that would be covered under one of these exceptions and if so what is the supporting evidence?:**

Generally we are agreement that this information is not covered by listed exceptions. However where the information is of a sensitive nature due to security or safety issues we wonder if the information related to the site details and/or transmission details could be made less detailed so as to make the operation of these systems more secure. We agree with the IPR issues but there appears to be an issue linked with this that does not appear to be adequately covered elsewhere in the document, namely that this information has a value and the information can be used to create further value. It appears that spectrum users benefit from the value of this information so does this make them owners of the information and there may be a need to consider the implications of this.

### **Question 2: Is there information that we are planning to release that would not be in the public interest to do so looking at each exception individually and then in aggregate and if so what is the supporting evidence?:**

Apart from the issues identified in the response to question 1 we have no further comments. However some of the paragraphs supporting this question reinforce the idea of this information having a value and we consider that this issue needs to be better understood.

### **Question 3: We would welcome comments and views on the information we already make available, in particular areas where stakeholders believe this could be improved.:**

To support research and innovation we consider that more information is needed on the spectrum that is likely to become available or opened up to more general use within a given timescale. This information may have the additional benefit of encouraging more spectrum trading. We consider that Ofcom's role may be affected by the publication of this information and this aspect needs to be investigated further.

### **Question 4: We are interested in the views of stakeholders on what information in addition to that contained in Annex 8 they think would help to ensure optimal use of the electro-magnetic spectrum, and on the impact the disclosure of this information might have on licence holders.:**

We consider that there is a need to publish information related to restrictions on the use of the particular spectrum block or any conditions attached to the use of that spectrum. This information could be particularly useful for supporting research and innovation efforts though generally it would support effective spectrum trading. From the consultation related to simplifying spectrum trading it appears that information related to spectrum leasing will not be published and we consider that this

information should be published as this form of usage will affect the quality and tradability of the spectrum and could have implications for the usage of other spectrum blocks.

**Question 5: We are interested in views regarding the areas where we should look towards focusing future research and studies on, and the benefits this will bring to industry, citizens and consumer? What information could we provide to encourage innovation and research?:**

We believe there should be a focus on moving away from fixed allocations towards much more flexible use of spectrum which could be supported by more research into the means for allowing better co-existence and sharing between different types of spectrum application within a given frequency range. The information to be published would relate to the sharing conditions which could be a form of more advanced SURs. This research would permit more innovative use of spectrum and could also encourage more spectrum trading as this would encourage a greater range of applications within the frequency range.

**Question 6: Would stakeholders find information on the price paid for a traded spectrum licence useful and believe that we should make the provision of this mandatory? :**

We consider that this information would be extremely useful in allowing the development of an effective spectrum market and this price information is generally available for markets in other sectors. In other sectors this information is generally available without any specific requirement for its mandatory provision. Therefore there is a need to question why the spectrum market is different so that the mandatory provision of information is required. To investigate this issue may require an examination of the appropriate role of Ofcom in the promotion and management of spectrum markets.

**Question 7: If yes, what would be the most appropriate way for us to collect these data, for example asking for the specific value, using a check-box system? In what format should information be provided, for example displayed in aggregate format?:**

We consider that where the information is readily available the specific value should be provided. In cases where this information is not readily available or the cost of supplying the information would be disproportionate then the data could be provided on a check box type system. We consider that where practical the value should be provided a spectrum transaction basis rather than in aggregate format as this form would be more useful to the market.

**Question 8: Do you have any views about the regulatory burden that this would place on the parties involved in a trade, for example would the cost of providing information be prohibitive? Do you have any concerns about the confidentiality of this data?:**

We do not consider that the provision of this information should impose any significant regulatory burden. Additionally we consider that generally this should be a low cost activity and that the benefits resulting from the provision of this information should be much greater than the costs. We do not consider that this information is confidential and indeed if it is made public it should reduce the risk of any collusion taking place.

**Question 9: We are interested in comments on whether the publication of spectrum usage data would be beneficial to stakeholders, what should be included and what format this should take.:**

We consider that there would be benefits in publishing information on undervalued and under used spectrum as this could lead to identification of spectrum that is available for other more valued purposes. The information should be published in a form that allows the identification of this under utilised spectrum to take place.

**Question 10: We would welcome any further views on whether there are other areas of non-price information that could be published to the benefit of citizens or consumers.:**

Where spectrum is under used or undervalued there would appear to be benefits in publishing any information that is available related to the reasons for this spectrum being under utilised. This information could have implications related to the tradability of and/or demand the spectrum.

**Question 11: We would welcome any further views on whether there are other areas of non-price information that could be published to the benefit of citizens or consumers.:**

We consider that this information would allow a more effective spectrum market to develop and could provide a means of making more spectrum available to meet the ever increasing demand.