

Response by Freedom4 to the consultation document issued by Ofcom entitled “Providing Spectrum Information”.

As a general position, Freedom4 has no difficulty releasing the type of information being proposed for the purposes set out in the consultation document. Freedom4 believes that adding relevant information about receiving equipment would make a positive contribution to ensuring optimal use of spectrum.

Freedom4 has two requirements for information on the use of spectrum during the planning stages before network deployment:

Identifying and quantifying sources of radio energy that have the potential to affect the correct operation of any part of Freedom4's network; and,

Identifying and quantifying any radio systems which could be affected by Freedom4's actual or proposed transmitters.

Under the current rules limiting the release of information it is not always possible for Freedom4 to discover sufficient details of the radio environment that can be expected in any particular area effectively, and efficiently. To overcome the current limitations, a process of trial and error has been adopted placing an administrative load on Ofcom.

Response to the questions posed in the consultation document.

***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?*

Other than sharing the concerns expressed by many operators that the release of information may aid criminal attacks on locations including theft of valuable equipment, Freedom4 does not consider that any of the exceptions, as set out in the consultation document, would be applicable.

***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?*

No comment.

***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.*

Freedom4 recognizes that the principle that the consultation document addresses focuses on emissions, and so the information discussed is about transmitters. However, if the intention of releasing information is to promote the optimal use of spectrum, then

Freedom4 believes information needs to be made available that will assist all players in more fully understanding the radio environment in which they are operating. While it is generally possible to deduce sufficient information about the characteristics of receivers from details of the transmitters at a location, this is not always possible. Appropriate information about receiving equipment would facilitate optimal use of the available spectrum.

***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.*

Freedom4 believes that information on the spectrum actually in use for reception, the location of the receiver, and relevant details about the receiver's characteristics sufficient to facilitate an estimate of how it may be affected, should be made available. It would be acceptable for this information to be made available under a non disclosure agreement to qualifying parties only, assessed by Ofcom on the basis of need, if a legal framework for limiting disclosure can be identified.

***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?*

No suggestions.

***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?*

While it would be interesting to see the prices paid for spectrum, the many variables that apply to each trade, geographic location, bandwidth, frequency, intended application etc, would limit the value and relevance of such information. Freedom4 is of the view that parties will develop their own approaches to valuation rather than placing significant reliance on published information.

***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?*

No comment.

***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?*

No comment.

***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.*

See earlier response to questions 3 and 4.

Usage information would provide another source of general market information that may help in planning network deployment. While details of spectrum usage are likely to reveal information about competitor activity, this may present opportunities to manipulate data with the intention of misdirection, and so caution would be needed in its interpretation and applicability. There are other, arguably more reliable, sources of information on the market and on competitor activity.

***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.*

See earlier responses.

***Question 11:** We would also be interested to understand from stakeholders the impact of disclosure of any of the information discussed.*

Freedom4 shares concerns with many operators that uncontrolled disclosure of details of the locations of its transmitter sites could expose networks to criminal acts ranging from theft to sabotage, particularly if information on many sites can be gathered easily. Freedom4 seeks clarification on the information, if any, that will be disclosed about equipment sited at customer premises.

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