

Title:

Forename:

Surname:

Name withheld

Representing:

Self

Organisation (if applicable):

Email:

What do you want Ofcom to keep confidential?:

Keep name confidential

If you want part of your response kept confidential, which parts?:

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:

I find the concept of applying population density as a proxy for frequency congestion. It is a very poor proxy, and fails to take account of factors such as differences between population density and airfield/airport density and the density of controlled airspace. On the latter point, there is a disproportionate density of airways over northern England and Scotland due to this being the shortest great circle route to North America.

I have also spotted a significant factual error in the assumptions made. Specifically, it appears that you have assumed all ATIS services are long range (150nm & 45,000ft altitude in table 3), whilst this is not the case for many airfields with an ATIS service (for example, at Blackpool the DOC is 60nm & 20,000ft). Thus it is erroneous to

assume that all ATIS services must have 820nm separation distances - it is effectively the difference between multiple users, and only one user, of a single frequency across the whole of the UK.

The assumptions used to produce the map on page 21 are clearly bogus. For example, the assumptions used are that a frequency cannot be used for a ground service which is used some hundred of miles away for another use. Taking the previous example, the ATIS at Blackpool will have been assumed to sterilise pretty well the whole of the UK, whilst in practice, the frequency could in fact be safely reused for ground services in (at a rough estimate) at least 75% of the UK. Even your own analysis admits that this graph is not realistic, yet it is still presented as 'evidence' of the congestion.

In footnote 10, page 16, there is the statement that "The use of 8.33 kHz channels marginally increases the overall number of available channels." No explanation of this statement is given, which seems at odds with the reasons given for its deployment.

Section 3.5 states that "The use of 8.33 kHz channel bandwidths is only deployed for frequencies which are used at altitudes exceeding 19,500 ft. This means that general aviation users are not required to re-equip with new 8.33 kHz radios at present." it would seem logical, given the claimed scarcity of channels, to form a long term plan to lower this ceiling. As a pilot, it is welcome that all users have not had to re-equip (at great expense) for 8.33 kHz channels - however I would suggest that (based on my own observations and experience) that lowering the threshold would affect relatively few aircraft. The majority of general aviation aircraft do not operate above 10,000 feet, and I would expect to find a correlation between those that do and those that already have newer equipment which is either already 8.33kHz capable or reasonably easily upgraded by plug in swap. Conversely, those older aircraft with harder to replace equipment are most likely to never reach such heights.

Whilst I hesitate to suggest measures that would cause aircraft owners yet more expense, I do feel it would be reasonable to consider such a measure provided it is done on a long term basis. A possible compromise might be to require all new installations to be 8.33kHz capable - and thus over time there would be a slowly reducing proportion of affected installations. In this respect I would draw a parallel with the Digital Switchover of TV - an apparent absence of advanced planning has meant that non-digital capable TVs are still on sale when it is well known that their usable life is limited (and indeed a friend bought such a TV without realising that within 6 months it would need a digital receiver box to continue in use). Of course, the lifetime of an aircraft radio installation is normally a lot longer than that of a consumer TV set.

Regarding the summary :

In section 1.3 it states that "We are making no proposals to apply AIP to aircraft radio licences or to the spectrum used by radars and navigational aids." Given the approach being applied here, my response to that has to be to add the caveat "YET". I find it hard to believe that OfCom will not produce a similar consultation in due course to propose charging for other uses.

In section 1.8 talk is made of licence holders gaining value from use of frequencies. In many cases the licence holder does not gain significant value, but users of their

services do. Taking again the example of ATIS at Blackpool, it is probable that under most operating conditions, the service could be dispensed with - at the direct cost of increased voice traffic in passing the same information. There is however an indirect value to pilots (who may not even be using Blackpool Airport) in being able to obtain information while a) out of range of the voice services, and b) at a time of the pilots choosing (and so freeing the pilot to schedule tasks to his convenience). Under conditions of high workload, the latter factor is not to be dismissed but probably cannot be quantified.

A similar case may be made for NDB beacons - outside the scope of this consultation, but almost certainly up for charging at some point. The value to the licence holder (normally the airfield operator for on-airfield beacons) is very little - except perhaps where they form part of an instrument approach procedure (IAP) as is the case at Blackpool. Other than as part of an IAP, the value is to those pilots able to use it as an aid to orientation - and again it's value goes up in situations where pilot workload is highest, such as when visual navigation is difficult in poor visibility. I have myself used on-airfield NDBs many times as an aid to navigation in less than perfect conditions.

It is quite foreseeable that many airfields will, as is the desired intent, decide that they do not wish to pay (or simply cannot pay) for a particular licence. This does not mean that the facility does not have that value, just that the person faced with the bill does not perceive the value to them. For an NDB, this will mean that most on-airfield NDBs will be shut down which has safety implications. Some airfields may decide to go non-radio, for example if it's a basic radio service, they may well decide they can let the pilots sort it out for themselves - with a corresponding increase in workload on the pilots who have no say in the matter.

The scale of fees also has some interesting anomalies. It is interesting to note that the fee for a ground service, which is typically used only at the largest and busiest airports is only a fraction of the fee for an air/ground service which is typically only used as the smallest of airfields (and hence most sensitive to the economic impact). I realise that this is due to the larger area of impact from the air-ground service, but it does mean that the economic impact is highest on the smaller airfields.

I also note that no differentiation is made between different operating areas for services. There is a significant difference in sterilisation area for a Tower service with range of 25nm/10,000ft and a low power air-ground service with a range of perhaps 5nm.

By making licence costs effectively the ONLY decider in allocation of frequencies, in effect there is going to be a system where those with the cash can have more frequencies, while those without, can't - irrespective of any safety consideration.

Question 1: Do you consider that our proposed fee rates for licences in the aeronautical VHF frequencies are appropriate?:

No

Question 2: In devising our revised proposals, have we identified all of the aeronautical uses of VHF communications frequencies which require a distinct approach to fee setting, as set out in tables 5 and 6?:

Question 3: Do you agree with our proposal not to charge any fees for Fire assignments?:

Question 4: Do you agree with our proposal to set a £75 fee for licences in any of the sporting frequencies?:

Question 5: Do you agree with our proposal to set an annual fee of £19,800 per ACARS or VDL assignment, with no variation related to the number of transmitters?:

Question 6: Do you consider that our proposed approach to phasing in fees for use of the aeronautical VHF communications channels are appropriate? If there are particular reasons why you consider that any user or group of users would need longer phasing-in periods, please provide any supporting evidence for us to consider. Specifically, do you have any evidence for us to consider that would support either of Options 1 and 2 for the highest proposed fee in this sector?:

Question 7: Do you have any further quantified information to contribute to the analysis of financial impacts of the proposed fees on particular spectrum users, as set out in Annex 5? We would like to publish all responses, but will respect the confidentiality of any material which is clearly marked as such.:

Question 8: Do you consider that our assessment of the impacts of our proposals has taken full account of relevant factors? If you consider that there is additional evidence that would indicate particular impacts we should take into account, we would be grateful if you could provide this.: