

Title:

Forename:

Surname:

Representing:

Organisation

Organisation (if applicable):

Thomas Cook Airlines

Email:

What do you want Ofcom to keep 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:

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

We do not believe the proposed pricing regime will lead to efficiency gains. These proposals effectively penalise those that have already invested in new technologies to address the perceived issue, the 8.33 model is yet to be fully implemented and the changes in capacity subsequently analysed post full operational introduction. This proposal should not be taken forward before further consideration of recent changes are established and assessed.

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?:

We do not believe you have adequately considered the impact of 8.33, and the capacity changes this scheme will deliver. Further, future capacity changes may be affected by the introduction of SES and Datalink communications further freeing additional capacity.

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?:

We do not agree with setting any such fees. This will not encourage air carriers to invest in new technologies that will help alleviate suggested congestion. Recent multimillion dollar investment in 8.33 capable equipment is not currently recognised in your deliberation appropriately. Incentivise new or more efficient technologies, not penalise advancement is a far more effective tool for change.

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?:

We do not consider fees to be appropriate. Pressures on the aviation industry finances are intense, adding more cost to operations is not justified by the evidence provided.

The case is built on aged information that at the very least requires bringing fully up to date with current issues and operational changes already in motion to alleviate band congestion.

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.:

The proposals represent a crude tax, a very blunt tool to bring about any required change. The proposal for charging should be withdrawn pending the provision of empirical evidence that there is a real need for change when recent and planned technologies are considered alongside international convention and operational changes.