

From: webform@ofcom.org.uk
Sent: 17 August 2009 13:47
To: aeromar2ndconsult
Subject: Responding to the Applying spectrum pricing to the maritime sector, and new arrangements for the management of spectrum used for radar and aeronautical navigation aids consultation

Title:

Mr

Forename:

John

Surname:

Milner

Representing:

Self

Organisation (if applicable):

Email:

What do you want Ofcom to keep confidential?:

Keep nothing 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

Comments:

Spectrum pricing as practiced by OFCOM is a crude, lazy and discredited way to manage the efficient use of spectrum. It all but destroyed the structure of the highly successful UK mobile telecoms market when applied there.

Spectrum should be allocated in line with strategic priorities set by government policy endorsed by Parliament.

The previous version of this consultation covered both maritime and aeronautical use and was comprehensively discredited. This second round smacks of a cynical attempt at divide and rule.

Question 1: Do you consider that the fee rates set out in Table 8 for assignments in the eight core international maritime simplex channels are appropriate?:

No I do not. Fees do not direct the resources to strategically important areas of use merely those areas with the necessary financial resources to buy what they WANT as opposed to NEED.

Question 2: Do our revised proposals reflect appropriately the distinctions between the different uses of particular internationally allocated maritime channels, as set out in Table 9:

I cannot say as to usage as I'm not familiar with the operational practices

Question 3: Do you agree with our proposals not to set any fees for use of the calling and distress channels, the search and rescue channels, the AIS channels, or for exceptional shore-based use of the intership channels?:

Yes, anything else would inevitably raise the question of potential charges of corporate manslaughter were a case to be made that fees restricted accessibility.

Question 4: Do you agree with our proposals to set administrative cost-based fees for licences to use the package of 3 marina channels?:

There is a reasonable argument to be made for a modest level of administrative costs to be recovered through licence fees. It must be proportionate though.

Question 5: Do you agree with our proposal to set administrative cost-based fees for licences to use the internationally-allocated duplex channels?:

There is a reasonable argument to be made for a modest level of administrative costs to be recovered through licence fees. It must be proportionate though.

Question 6: Do you consider that the fee rates set out in Tables 10 and 11 for assignments in the UK-allocated working channels (that is, not including the search and rescue or marina channels) are appropriate?:

The argument appears to be that some of these channels are not overused and that they could be redeployed to relieve congestion elsewhere in arguably more important use categories

If that is case then redeploy them on strategic grounds and the fees issue does not arise.

Question 7: Do our revised proposals correctly identify all of the UK allocated maritime channels which are assigned to specific applications which require a specific approach to fee setting, as set out in table 12:

I cannot say

Question 8: Do you agree with our proposal to set no fees to licensees for use of the two UK-allocated search and rescue channels?:

Clearly, as stated above any loss of access due to fees could lead to corporate manslaughter charges in the final analysis.

Question 9: If you are a maritime organisation with the safety of human life in an emergency as your sole or main objective, would you be interested in accessing spectrum for working purposes (ie other than SAR or other emergency response uses) under a private commons basis, shared with other users with the same objectives and co-ordinated by the MCA, and free of any spectrum fee?:

Not applicable

Question 10: Do you consider that our proposed fee rates for area-defined licences(where feasible) in the eight core internationally-allocated maritime simplex channels are appropriate?:

I cannot comment

Question 11: Do you agree that area-defined licences in the international duplex channels should be based on a minimum cost of £75 for 4 squares, with larger areas priced on a case by case basis? :

I cannot comment

Question 12: Do you consider that our proposed fee rates for area-defined licences in the UK allocated working channels (that is, not including the search and rescue channels or the marina channel) are appropriate?:

I cannot comment

Question 13: Do you agree with our proposal to set an administrative fee of £75 for maritime radio (suppliers and demonstration) licences?:

I cannot comment

Question 14: Do you agree with our proposal to bring the arrangements for temporary maritime licences into line with those in other sectors?:

No, this is uniformity for uniformity's sake. maritime needs should be assessed directly.

Question 15: Do our proposals for phasing in some of the proposed fee increases provide sufficient time for you to accommodate the additional costs, without undue disruption to your operations which could reasonably be avoided by a phasing arrangement? We would like to be able to publish all responses to this question. However, if you wish your response to this question to remain confidential, please provide your response on a separate sheet clearly marked to that effect. Your request for confidentiality will be respected:

Not applicable

Question 16: Do you consider that our phasing proposals for the maritime licences for which we propose to set AIP-based fees 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.:

I don't accept the proposal so its implementation is not relevant

Question 17: 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 7? We would like to publish all responses, but will respect the confidentiality of any material which is clearly marked as such.:

No

Question 18: If the Government were to assume the strategic management role for the radar and aeronautical navigation aids spectrum that we propose, do you agree that we should not develop proposals for AIP licence fees?:

I agree and indeed this should be the approach to ALL spectrum allocation. At present the UK is well behind Europe and the USA in radar coverage of en route airborne traffic so if anything an incentive to INCREASE usage is needed..

Most navigation aids are positioned to support en route or airport approaches and governed by internationally agreed standards and accepted practices (ref ICAO) . Duplicate sites using the same frequency is undertaken where that can be safely managed.

It is likely that NDBs could be switched off as they are being in the USA, though their spectrum may not be of great value for reuse and the CAA is being characteristically slow in taking this forward, even requiring NDB to support GPS based procedures, which has the effect of causing new ones to be installed.