

Met Office

Question 1: Do you agree with our proposal to create a new innovation licence class?:

No comment

Question 2: Do you agree with our proposal to grant innovation licences on a first-come-first-served basis?:

No comment

Question 3: Do you agree with our proposal that innovation licences be service and technology neutral:

No. The Met Office has some concerns about permitting licensees to change the use of the spectrum without obtaining prior permission from Ofcom. It is possible that some types of use could have greater impacts on users of the same spectrum than others. The impact of each type of use should be properly evaluated by Ofcom and other users before any permission to change use is granted.

Question 4: Do you agree with our proposal that innovation licences should include a 'non-interference-non protected' licence condition:

Yes. However, it is not clear whether this status would be permanent. What would happen if an innovative service became successful, with a large number of users? Would the incumbent services be at risk of losing their protected status? See additional comments below.

Question 5: Do you agree with our proposal that, in general, innovation licences have an indefinite duration:

No. An innovative use that involves a large number of licence-exempt devices could present problems if interference to other users occurred. How would it be possible to recall the devices or even track them down and successfully eliminate them under these circumstances? Would licence-exempt innovation devices be required to have a fixed, non user-configurable lifetime to reduce this risk?

Question 6: Do you agree with our proposal that innovation licences have no initial period?:

No comment

Question 7: Do you agree with our proposal that innovation licences have a minimum notice period for variation or revocation on spectrum-management grounds of one year?:

No comment

Question 8: Do you agree with our proposals for varying or revoking innovation licences during the minimum notice period?:

Yes

Question 9: Do you agree with our proposal to allow only outright total transfers of innovation licences:

No comment

Question 10: Do you agree with our proposal to charge a fixed fee of £2,000 per innovation licence per year?:

No comment

Additional comments:

It is stated at section 1.6 that Ofcom would 'look at applications carefully on a case by case basis and consult with the relevant public body'. However, the actual process by which this would be done does not appear to be set out anywhere in the document. It would be essential that the users of any spectrum that is under consideration for innovative use are fully consulted and have an opportunity to assess the potential risks to their operations and object if necessary. In some cases these users would be the only ones who could carry out this assessment properly. It would appear from the document that other users would be consulted at Ofcom's discretion.

Our concerns have already been raised in the responses to questions 4 & 5 over the possibility of a situation arising where an innovative use becomes so

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successful, with a large number of users possessing devices that can only use a particular band, that it becomes almost impossible for the service to be moved to any other band, or to resist moves to have the non-interference status changed