

**Representing:**

Self

**Organisation (if applicable):**

**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

**Question 1.1: What are the implications of market change for mobile and wireless services?:**

We in the UK are still paying some of the highest roaming charges and the mobile phone companies are now charging extortionate amounts for Data. Advertising should be brought into control by OfCom. Companies like O2 being allowed to market Data as "Unlimited" and then putting a caveat of 200Mb, or similar is just wrong and discourages a lot of people from using data services because they know they will be stung by the operator

**Question 1.2: How are citizens and consumers affected by developments in the mobile sector?:**

The growth of the mobile sector is helping consumers, I know mapping functions, mobile email, mobile tv etc is becoming bigger. However, one thing that Ofcom should NOT allow is termination charging. I am a heavy user of my mobile phone, regularly running up bills of several hundred pounds per month, but even I will give up my mobile phone if Ofcom allows termination charging. A user should not be charged for accepting calls or texts. An argument of "this is how it works in the US or Canada" is not valid, just because another operator in another country is fleecing it's customers, it shouldn't automatically mean that we should do it here as well.

**Question 1.3: What are the purposes of mobile regulation, and where should its focus lie?:**

The purpose should always be to protect the consumer, which is blatantly doesn't do at the moment. The EU has raided Operator offices several times now and yet we are still seeing the operators charging more, trying to lock us into 18 month contracts, etc.

**Question 1.4: What is the scope for deregulation, competition and innovation in the mobile sector?:**

There should be NO deregulation. We have already seen operators colluding together to keep prices high, roaming charges high, texting charges high..it does NOT cost 12p to process a text message, they are already making huge amounts of money out of consumers. In some areas, operators enjoy a monopoly as theirs is the only signal out there.

**Question 3.1: What do you think are the features of a well-functioning mobile market? What evidence do you see that those features are present in the UK market?:**

A well regulated and controlled mobile market, where companies are allowed to make a profit but without scamming or ripping off their customers, as is happening at the moment. Operators should not be allowed to stop the use of VoIP technology from their phones, or make it harder, as they are doing now.

**Question 3.2: What measures are most appropriate to assess whether the mobile sector is performing well for citizens and consumers?:**

Regular CONSUMER surveys by an independent auditor would help, you cannot take the corporate figures from the operators OR ofcom.

**Question 3.3: How will market dynamics change as a result of trends such as availability of new spectrum, mobile broadband and new ways of delivering voice services?:**

I think operators will have to provide added services and think of other ways to make money, especially from Data, but they mustn't be allowed to dictate what we use our phones for

**Question 4.1: What is your experience, as an individual consumer or an organisation that uses mobile services?:**

My experiences with my current provider have been excellent, if only because of the amount of money I spend with them. The ability to change contract and keep your number has kept the operators more honest, however an 18 month contract term becoming the norm is a worrying trend

**Question 4.2: How should regulators and policy-makers respond to signs of rising consumer concern? :**

They should regulate the market more. We have seen in other sectors of the economy where deregulated markets, or "lightly" regulated markets have caused the current credit crunch, have seen operators take huge profits at the cost of poorer consumers and have made it almost impossible to deal with operators.

**Question 4.3: What are the important factors to consider in striking a balance between protecting mobile consumers and enabling markets to work flexibly? Have we got this balance right in today's mobile market?:**

The balance is still too heavily in favour of the operators, complaining is still too difficult. Ofcom's insistence at making it harder to complain via Ofcom has made operators bolder in dealing with the consumer, and not in a good way. There needs to be more regulation to force operators to stop ripping the consumer off.

**Question 5.1: How does the use of mobile services affect our participation as citizens in society?:**

It doesn't. At the end of the day it is a technology and it cannot help citizens participate more in a society. It can facilitate it, but it won't, for example, make people go out and vote, or give 10p to the homeless guy at the end of the road

**Question 5.2: What factors should we take into account in thinking about access and inclusion issues in mobile markets?:**

No termination charges is the most important thing. Lower costs and a reduction in the number of tariffs. They should be clearer and easier to understand, the marketing departments should be legally responsible for any and all claims, including the absurd "unlimited" claims being bandied about by operators at the moment.

**Question 5.3: What factors should we take into account in thinking about new services, and how those services may affect issues like protection of children, privacy and security?:**

There should be ultimate protection of privacy. Companies should not be allowed to track mobile phones and manufacturers and operators should be forced into allowing consumers to protect their data and their phones calls.

**Question 5.4: Have you been affected by issues about coverage or 'not spots'? How has it affected you?:**

Im with Vodafone, coverage is excellent

**Question 7.1: What do you see as the most influential trends and features of mobile and wireless markets in future?:**

Data and the move to VoIP from the phone as well as email and mobile internet.

**Question 7.2: What new policy and regulatory challenges could the trends identified in this section bring? Which policy and regulatory challenges could they address?:**

Operators must not be allowed to restrict VoIP, we have seen them trying by removing voIP applications from their phones even though the manufacturer includes them. Data charges MUST be brought down

**Question 8.1: Should Ofcom do more to promote competition in mobile and wireless markets?:**

Yes it should the 18 month contract should be stopped and it should be easier to get out of your contract if it was missold, even by a 3rd party. The operators should be held liable if a 3rd party lies to a consumer to get a sale.

**Question 8.2: Ofcom's strategy in telecommunications is to promote competition at the deepest level of infrastructure that is effective and sustainable. How might this strategy be applied, given future developments in the mobile sector? Under what circumstances, if ever, would it make sense to consider access regulation for mobile platforms?:**

There should be no access regulations but I think we could see more "piggy backing" of services such as the supermarkets on the existing mobile backbones

**Question 8.3: What role can competition play in ensuring that future development of the mobile internet provides an open and flexible environment for a wide range of services? Should Ofcom explore open access requirements to ensure opportunities for innovation? What role might 'net neutrality' play in the mobile sector?:**

Net neutrality MUST be uppermost. As soon as it disappears, you start to have a multi teared internet where the ISPs and operators control what the consumer may see, this is inherently wrong.

**Question 8.4: What role might competition play in addressing questions about transparency of prices, services and contractual conditions offered to consumers of mobile and wireless services? What role should regulation play in addressing these questions?:**

Regulation must be heavily applied and Ofcom, unlike in the past, MUST be willing to come down heavily on operators to force them to provide a fair service

**Question 8.5: What is the best way to promote content standards and ensure privacy protection for increasingly complex content and**

**transaction services? How will privacy issues fare in a world where services are more personal and more complex?:**

Operators should allow consumers to use encryption, especially with the new VoIP services and the use of online banking from a phone.

**Question 8.6: Will the mobile termination rate regime need to evolve or change more fundamentally? What is the best approach to adopt?:**

There must be no termination rate applied to the consumer. If we have to start paying for calls received, I know that I will stop using a mobile phone

**Question 8.7: If competition does not reduce international roaming charges sufficiently, how should regulators respond, if at all?:**

The regulator MUST step in as it has been ordered to do already by the EU.

**Question 8.8: How might universal service and universal access need to adapt in a world where we increasingly rely on mobile services? What role might mobile play in universal access delivery in future?:**

we already know that IP addresses can be mapped locally, therefore it isn't hard for the operators to provide things like emergency services locally, even operating a world wide single number.

**Question 8.9: Can markets and commercial agreements address issues such as 'not spots' and emergency access? If not, what role might be played by a regulator to address these issues?:**

The regulator MUST be willing to force these issues through and ensure that there are no "not spots". With the increasing reliance on mobile services, the operators must legally be forced to provide 100% service in the way that the nationalised BT did with landline services

**Question 8.10: How might access for particular groups (such as the elderly and disabled users) need to evolve in future? What role can competition play in addressing these questions?:**

As mobile services become more ubiquitous, there must be pressure put on providers to use tariffs based for the elderly and disabled as well as a "no cutoff" promise so that they can't cut the line, which maybe the only outside connection an elderly or disabled person may have

**Question 8.11: Do you have any comments regarding our proposed way forward and the objectives of the next phase of this Assessment?:**

The most worrying aspect is the lack of action, even under EU pressure from Ofcom regarding the Mobile market in the UK. Charging the consumer for receiving calls

should not be allowed. The roaming charges should be brought down and things like the false advertising inherently being used for Data should be dealt with severely.

**Additional comments:**