

**Question 1: How should Ofcom manage the process of taking advice from users, regulators and government on efficient apportionment of AIP fees in the maritime and aeronautical sectors? Are any new institutional arrangements needed?:**

OFCOM should consult widely throughout the maritime community - including yacht clubs and international authorities - since any changes in the allocation or use of channels will have an impact beyond UK shores.

**Question 2: If you consider that our proposals for pricing ground station users for any spectrum would be likely to have a detrimental impact on safety, please let us know. In order for us to understand your assessment fully, it would be helpful if you could outline the mechanisms whereby this might happen.?:**

Ground Stations use a number of channels other than those recognisably 'Safety of Life' (such as the # 16 and # 70 quoted). For instance there was no mention of Channel # 0 at the AIP seminar and many channels are used both by the MCA and MOD to transmit safety related messages. Any reduction in the availability of these would jeopardise safety issues.

**Question 3: Do you have any evidence which indicates that AIP charged to ground stations could have a material detrimental impact on UK competitiveness?:**

If ground stations are forced financially to relinquish some channels, this would allow foreign competitors to acquire them for their own purely internal purposes. There is already a certain amount of interference from foreign stations on some channels well beyond the theoretical range of the station transmitting - for instance in south Cornwall our Stations regularly hear Brest Le Conquet over 100 nm away.

**Question 4: Taking into account the information available in this document, including that set out in Annex 5, our initial views on VHF radiocommunications licence fees and on the reference rates for bands in other uses, and any information you have about the organisations to whom we are proposing to charge fees, please provide any evidence that you think is relevant to us in considering the financial impact of the fees we intend to propose for VHF radiocommunications, or for other uses:**

The National Coastwatch is entirely devoted to 'Safety of Life' issues and thus for this reason, as well as being a charity, would be considerably embarrassed financially with any significant increase in fees. The NCI has no remit to transmit on any matter unrelated to safety. We would therefore look to receive 100% discount (along with the RNLI).

**Question 5: Do you agree that there is little to be gained, in terms of economic efficiency, from charging AIP to WT Act licences for aircraft:**

Not applicable to NCI

**Question 6: Do you consider that we should discount fees for any particular user or type of user? Specifically, do you consider that there should be a discount for charities whose object is the safety of human life in an emergency:**

Yes. Organisations - and particularly charities - whose sole purpose is safety of life - should receive 100% discount.

**Question 7: Do you agree that Ofcom should apply AIP to ground stations? use of maritime and aeronautical VHF radiocommunications channels, to help manage growing congestion in current use and to ensure that the cost of denying access to this spectrum by potential alternative applications is faced by current users?:**

So far as the maritime radio/radar spectrum is concerned the NCI has seen little firm evidence of any congestion. The 'congestion chart' included in the paper does not appear to be supported by the maritime facts available and is of doubtful authenticity when considering the maritime environment. For instance it seems unlikely that Plymouth and Portsmouth ports are congested whereas the Clyde, Belfast and the Forth are not.

**Question 8: Do you agree with our initial view that it would be appropriate to apply a pricing system similar to that already existing for Business Radio licences to maritime and aeronautical VHF communications? If not, what are your reasons for proposing that we should develop a fee structure for maritime and aeronautical VHF channels which is distinct from that already established for Business Radio?:**

'Business Radio' seldom concerns the 'Safety of Life' and it is inappropriate to apply 'business considerations' to the maritime spectrum. For instance do the Ambulance and Fire services come under the same financial constraints when using VHF channels ?

**Question 9: Are there any short term reasons specific to the sector(s) why it would be inappropriate to apply fees from April 2009?:**

The issue is too complex to be resolved within a time frame based on a 2009 introduction. A much longer, and wider, investigation is called for.

**Question 10: Ofcom would welcome stakeholders' views on the factors which should be taken into account when apportioning fees between individual users of radars and racons:**

One significant factor concerns authorities which have coast stations in different adjoining localities. Using the OFCOM 'density' diagram it is totally illogical for two stations in the same organisation to pay different rates for the same channel/frequency merely because they are in different 'squares' perhaps only a few miles apart.

**Question 11: Do you agree with our initial view that a reference rate of £126k per 1 MHz of national spectrum for L band and S band radar spectrum would achieve an appropriate balance between providing incentives to ensure efficient use of spectrum while guarding against the risks of regulatory failure in setting the reference rate too high? If you consider a different rate would be more appropriate, please provide any evidence that you think we should take into account.:**

NCI has no view on this.

**Question 12: Do you agree with our initial view that a reference rate of £25k per single MHz of national spectrum would be appropriate for deriving fees for licences to use X band radar?:**

If the question implies that 1MHz of X-band radar would cost £25,000 (£25k) this is ridiculous.

**Question 13: Do you agree that, generally, spectrum used by aeronautical radionavigation aids is currently uncongested? Do you believe that this may change during the next few years and, if so, approximately when?:**

No comment

**Question 14: Do you agree with the basis on which Ofcom has arrived at its initial view on reference rates for aeronautical radionavigation aids?:**

No comment

### **Comments:**

It would appear from both the Consultation Document and the initial briefing by OFCOM at the seminar that insufficient thought has been put into the PRACTICAL application of the scheme in the apparently over-riding attempt by Government to raise money. The mere fact that no mention was made of Channel Zero (admittedly 'free' at the moment) in the paper exemplifies the narrowness of practical implication considerations. Little evidence of so-called 'congestion' has been noted.