

UK Ofcom
Attn: Mr. Michael Richardson
Riverside House
2A Southwark Bridge Road
London SE1 9HA
United Kingdom

Date 30 Oct 08
ref: radio

Dear Mr Richardson

ERA RESPONSE TO OFCOM CONSULTATION

entitled

“APPLYING SPECTRUM PRICING TO THE MARITIME AND AERONAUTICAL SECTORS”

ERA (European Regions Airline Association) notes that Ofcom has issued a consultation paper on the topic of introducing charges for aeronautical and maritime users of spectrum.

This response refers only to aeronautical users.

ERA submits that, as there appears to be no basis for assuming that the introduction of charges will improve the efficiency of spectrum usage by aeronautical users, most of which is subject to international agreements, the introduction of Administered Incentive Pricing (AIP) would effectively amount to a new tax on aviation.

ERA further notes that the UK already imposes higher taxes on commercial air transport than most other states in Europe or elsewhere.

In response to specific points in the consultation paper, ERA submits that the proposal for AIP contained in the consultation:

- does not adequately consider safety requirements
- does not take into account international standards and obligations that aviation is subject to as a safety of life service;

- does not consider the UK Government's obligations under international treaties such as ITU World Radiocommunication Conference (WRC) outcomes;
- does not consider the UK Government's European commitments such as the Single European Sky Regulations that will improve aviation's ATC operations and requires adequate radio spectrum to do so;
- does not identify any problems with how aviation uses spectrum;
- does not show how AIP would increase efficient use of aeronautical bands;
- bases AIP for aviation on a business radio case that is neither appropriate nor applicable to aviation use of spectrum;
- does not take into consideration how aviation has and is already pursuing efficiency in its spectrum use (for example through the development of the Single European Sky and the implementation of 8.33 kHz channel spacing);
- is premature as no Impact Assessment has been carried out;
- does not follow UK policy directives and differs from previous UK policy statements on the use of aeronautical spectrum.

ERA represents some 60 European airlines primarily operating intra-European scheduled air services and carrying some 75 million passengers per year. Approximately 20 of these airlines currently operate services to, from or within the UK and would therefore be directly affected by these proposals.

ERA wishes to support and endorse the response to the Ofcom consultation which has been submitted by IATA (International Air Transport Association). As ERA represents approximately 50 airlines that are not members of IATA, this support materially increases the endorsement of IATA's submission by commercial airlines.

Best regards



Nick Mower
General Manager Technical Services

