

**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?:**

It should follow the Cabinet Office guidelines strictly and should give serious attention to the important safety implications of its proposals.

**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.?:**

Smaller airfields and landing strips will be priced out of providing a radio service and an increased incidence of mid air collisions in the circuit will be the consequence.

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

General Aviation in the UK already has to meet significantly higher charges than elsewhere in Europe so that many operations are migrating elsewhere. Your proposal will substantially increase this trend to the disadvantage of the UK and its dwindling General Aviation industry.

**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:**

An examination of the business of any small UK airfield will soon reveal that the sort of charge that you are proposing would be unacceptable to many operators and pilots. Inevitably, the radio facility would be abandoned.

**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:**

Yes. The number of non UK registered aircraft based in the UK is already substantial and new EASA rules will increase this considerably unless a cost regime similar to that obtaining elsewhere in Europe is applied. Unless your proposal is to be implemented Europe wide, therefore, it is bound to add substantially to this trend.

**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:**

Your efforts to raise revenue for yourselves and the Treasury will attract the obloquy that they deserve in all cases but even more so when they are applied against charities.

**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?:**

**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?:**

I agree entirely with Professor Cave's view of the value of opportunity cost in this case. Your attempt to invent a second definition of opportunity cost stretches the meaning beyond any reasonable interpretation.

You choose, with no reasonable justification, to ignore the international regulations that affect this issue.

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

None. The inappropriateness of fees in this case is long term.

**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:**

Does the stakeholder have any preference between being hanged or shot?

**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.:**

I prefer Professor Cave's view that a reference rate of £0 per 1MHz is appropriate here.

**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?:**

See my response to Q11.

**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?:**

If the spectrum was uncongested why was it necessary to change from 50 MHz intervals to 25 MHz and now to 8 MHz?

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

Absolutely not.

**Comments:**