

**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 take into account that the aeronautical/marine VHF spectrum is allocated by international agreement. It is not there just to make a profit for someone it is there for reasons of safety. Ofcom should therefore take much more advice from users particularly individuals or clubs of users, rather than any large companies and businesses.

Ofcom must consider the safety aspect of having a radio frequency and also consider that if a radio frequency is subsequently denied due to the cost being too high, then Ofcom must be considered liable for any reduction in safety that this causes, particularly in the case of any accidents or incidents.

It should be forbidden for any third party to purchase any part of the spectrum with the intention of selling this on to make a profit.

**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.?:**

currently many small airfields have allocated frequencies used for communicating aircraft positions to other aircraft in order to aid the prevention of collisions. If pricing is introduced it is very likely that none of these small airfields would be able to afford to buy the radio frequency and none of the aircraft owners would agree to paying higher fees to put towards paying for this as charges are already very high putting many people off flying.

Thus the result would be many small airfields without a radio frequency, while no problem a lot of the time, there might be some times when there is a lot of traffic or someone has a problem that the radio freq would have been useful to prevent an accident, such as mid air collision or aircraft landing on the wrong runway for the wind etc.

On the other hand if an airfield does spend the money on a frequency and charge users more, people will fly less because of the increased cost and thus become less competent at flying and result in more accidents.

By going ahead with selling off frequencies Ofcom must take this reduction in safety into account and agree to be liable for any accidents resulting.

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

Due to adding yet another regulatory cost to flying, this will reduce the number of people flying again and reduce the competence of people flying as they can't afford to fly so much. This would have a detrimental impact on UK competitiveness in several ways.

In competitions UK pilots would be worse off due to lack of practice and thus not be

winning the world titles that they are now.

On a more commercial point of view, there would be less UK pilots training, thus flying schools would go out of business, and many of those training would anyway go abroad due to the cost and cause more flying schools to close, thus losing UK businesses. Eventually it may be found that there are not enough commercial pilots in the UK, thus UK airlines won't be able to expand and people will fly via foreign countries instead of via the UK thus losing the UK revenue.

**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:**

most small airfields are run on a shoestring and most GA pilots fly for fun a few hours per year as part of their hobby and have little spare money. Thus charging any sort of fees is likely to result in airfields not buying the licence and running without radio. The fees will have little difference for busy large airfields with commercial traffic as they will easily be swallowed up as a very small percentage of the user charges. Airlines will be able to afford to pay the fees for their company frequencies which are used for admin communication between aircraft and the company. Thus the result will be that the airlines will be able to get more company frequencies which are nice to have and provide no safety benefit, whereas small airfields will lose their frequencies having a direct detrimental affect on flight safety.

**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, it is ridiculous to be charging for aircraft licences, when the radios are fitted for reasons of flight safety, not to make money. Fitting radios to aircraft and to boats should not incur any licence fee, as this is a tax on safety.

**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, RNLI should get a discount, but so should any small airfield or boat marina. All of these radios are used for safety. The highest charges should be for radios used for airline company frequencies which have no safety purpose and are purely commercial.

**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?:**

No absolutely not. There should be no charges whatsoever for any use of these VHF channels, ground stations or aircraft/boat stations, where they are used for flight safety, such as small airfield ATC frequencies. The only place where there is scope for charging is for those frequencies used by commercial companies for their own internal communications, such as airline company frequencies.

We have been told for years that there are no spare aeronautical VHF frequencies and an 8.33MHz spacing has been introduced to provide extra frequencies for upper airspace, this is a good idea and it should be kept for upper airspace only.

Any re-allocation of existing frequencies should be left to experts with a safety remit, such as the CAA in consultation with users such as the LAA, BMAA, BGA and AOPA. It should not be the remit of a money making organisation. Allocation should be based on safety need, not commercial greed and deepest pocket.

**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?:**

No absolutely not. Business Radio is something used for profit to make money, whereas aeronautical and maritime VHF comms are for safety, in all but the case of airline company frequencies.

The fee structure should be distinct, because the reasons for having the spectrum and its use are totally different

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

Yes. because this is an ill thought out plan, based on people making money by their use of the radio spectrum and allocating the frequencies based on financial and greed principals rather than safety which is the reason now.

**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:**

There should be no fees for use of radar to any aircraft operating VFR as their prime means of navigation and collision avoidance is by looking out of the window. Radar separation is generally only of benefit to IFR traffic and those operating at a fast speed thus not able to navigate or avoid visually. It is to the advantage of the IFR aircraft that VFR aircraft communicate with the radar controller, thus VFR aircraft should not be charged for improving the flight safety of IFR aircraft.

**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.:**

No there should be no charge. Provision of radar should be upto the CAA based on a safety case, not left to who can pay the most money.

Do you really think that it is a good idea that some rich billionaire with his own private airport and 747 could pay for a radar for his own use on his few flights, thus denying it to the local airfield with hundreds of low cost flights every week! This is what you are in effect proposing

**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?:**

NO it should be allocated based on a safety case not to whoever is the richest.

**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?:**

Yes it is uncongested and the only change likely is that it will become more uncongested as ground based radionavigation aids are used less with more aircraft using GPS.

**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 there should be no charges, if it is uncongested, even by Ofcoms warped sense of charging to change allocation, there is no need to charge here are there are spare frequencies.

### **Comments:**

None of this says where all the money from charging is going to go! Any money that Ofcom charge for any aviation and marine spectrum should be put back into the aviation and marine environment, particularly at the grassroots level. For example by providing free radio frequencies and no radio transmitter fees for small airfields and small aircraft for use for safety purposes. Charges could also pay for free fitment of mode S transponders to GA aircraft.