OFCOM PROPOSAL TO APPLY SPECTRUM PRICING TO THE MARITIME AND AERONAUTICAL SECTORS – A RESPONSE FROM THE ROYAL AERONATUICAL SOCIETY

Introduction

1. The Royal Aeronautical Society (RAeS) is the Learned Society for the Aerospace and Aviation community. Based in London, it has a world-wide membership of over 17,000, with over 13,000 in the UK. Its Fellows and Members represent all levels of the aeronautical community both active and retired. Through its various Boards and Committees, it can draw upon considerable experience and expertise in aviation matters. In addition, the Society has over 120 organisations who are members of its Corporate Partners scheme. Much of its work is undertaken by specialist Groups drawn from the Membership

2. This response is based on a note by the Society's Flight Operations Group, the Specialist Group dealing with matters of professional aviation Flight Crew Training, Professional Flight Operations and Commercial aviation Safety.

Observations

3. This discussion paper addresses the impact that spectrum pricing will have on the aeronautical sector.

4. Ofcom has declared that it is not minded to charge fees to aircraft (Summary paragraph 1.18). It is, however, proposing to levy fees through administered incentive pricing (AIP) and subsequent trading on ground-based organisations that will require spectrum access in order that they may function. It is inevitable that such organisations, where they provide a safety-related service to aircraft, will seek to recover such costs from the owners and operators of those aircraft. At the least, this will mean that less money will be available to the latter to spend upon maintaining an appropriate level of safety.

5. Safety in flight operations will be affected adversely where such ground-based organisations as will be required to pay spectrum charges decide to reduce the scope of communications and navigation aids that they currently make available for use by the aviation community, especially where the additional costs these organisations will incur may not be fully recoverable. Whilst this may have the superficial appearance of 'increased efficiency', it will undoubtedly increase the difficulty pilots experience when attempting to make position reports (more clutter on such communication channels as remain), seeking information (potential decommissioning of volmet and information channels whose purpose is to provide weather and aerodrome status reports) and maintaining positional awareness (removal of ground-based aids commonly used as a disparate source of information to confirm on-board positional information derived from satellite-based navigation systems) including especially the avoidance of collision with terrain and separation from other aircraft.

6. Operational flight safety has never been dependent solely upon meeting minimum standards prescribed by authorities, but upon maintaining sensible margins that protect practitioners from minor shortfalls in performance – both human and technical. Thus, the possible widespread removal on cost grounds of many aeronautical channels of communication and apparently non-essential ground-based navigation aids in the United Kingdom may erode those essential safety margins that private and professional pilots rely upon to help them avoid incidents and accidents.

7. Ofcom would do well to reflect that the drive to improve efficient use of spectrum as currently outlined should recognise that the highly-probable cost-induced removal of many communications and navigation aids that help to **prevent** accidents (as opposed to the distress and emergency channels that are intended for use *after* an incident has occurred and that are expected to avoid AIP) will result in reduced safety margins. This reduction in safety is likely to arise unless Ofcom ensures that AIP is applied within the aeronautical sector **only where the use of spectrum has no safety-related function whatsoever**.

8. Further, The Ofcom document makes no reference to co-ordination of policy within the European Union. It should be noted that Article I of the EU regulatory framework for radio spectrum policy states; "The aim of this Decision is to establish a policy and legal framework in the Community in order to ensure the coordination of policy approaches and, where appropriate, harmonised conditions with regard to the availability and efficient use the radio spectrum necessary for the establishment and functioning of the internal market in Community policy areas such as electronic communications, transport and research and development (R&D)" Further details can be found on:

http://ec.europa.eu/information_society/policy/radio_spectrum/docs/policy_outline/decision_6762002/en.pdf