

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?:

Emergency services and search and rescue (SAR) agencies should take priority over commercial enterprises. Charities involved in the preservation of life, such as mountain rescue teams & lifeboats, must have priority over commercial enterprises or they will suffer detrimentally and this may put lives at risk.

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.?:

The lives of casualties and land SAR team members lives would be put at increased risk. A reduction in the number of channels available to land SAR teams, or forcing them to share channels with other agencies, would cause an increase in interference from other users and the dangerous saturation of channels. Land SAR teams are increasingly called upon to perform operations for the protection of life, which results in neighbouring teams regularly operating concurrently on different incidents. During these multiple incidents, or during a major incident such as the Lockerbie air disaster or Grayrigg train crash, communications would become unworkable.

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

Yes. Many other channels are available that are not being fully utilised within the UK.

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:

Mountain Rescue Teams and the RNLI not only carry out life preservation operations, but as registered charities they also fight hard to win money via donations and other fund raising activities. Without fund raising the teams could not operate to perform the life saving operations they carry out. If SAR channels are reduced, voluntary SAR agencies have to contribute costs or the cost of licences increases, then lives will be put at risk - both of casualties and team members. These voluntary SAR agencies perform a vital role in the preservation of life within the UK. They are increasingly stretched due to health & safety legislation, fund raising activities, increased casualty

rates and increasing burdens in society. It is quite simply wrong to charge these people.

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 I do.

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:

All voluntary SAR agencies should be exempt from making any payments. If charges are increased then it is important that no SAR channel should be removed or affected by the changes.

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?:

In principle yes, however this is subject to the channel not being used for life saving operations. SAR channels are currently operated as efficiently as possible, taking into account all operational capabilities, and these are carefully managed.

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?:

Where channels are used by commercial enterprises this is acceptable, but not where they are used for SAR activities.

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

This would be dependant upon the fees charged and whether your proposals are accepted. However charges should not be made for SAR channels, nor should the number of channels be reduced.

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:

I am not a stakeholder in either but believe that charges should not be made to voluntary SAR agencies using life saving devices including personal locator beacons (PLBs), emergency locator beacons (ELTs) and emergency position indicating radiobeacons (EPIRBs).

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.:

If spectrum is used for commercial organisations involved in commercial gain then this would seem reasonable.

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?:

It must be stressed that no charge should be made for those agencies using this for the protection of life.

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?:

I have no knowledge of the possible future congestion of this part of the spectrum.

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

I do not have an opinion on this.

Comments:

I am greatly concerned whenever commercial gain has a potential impact on the preservation of life. The protection of life is paramount to humanity and should always take precedent over commerce. There are good arguments why statutory agencies should pay a commercial rate and this is a decision for government, but they must ensure that life saving activities are not compromised by these decisions.

Of greater concern is the impact this will have on the voluntary agencies involved in SAR - namely Mountain Rescue Teams and RNLI. We depend greatly on these voluntary agencies to carry out their operations in the harshest conditions in order to preserve life. Volunteers spend many hours training and fund raising, so that they are fit for purpose whenever a casualty is in need of their services. They are selfless in the way they operate and the additionalburden of increased costs or reduced channels will have an impact on the safety of human life.

These voluntary agencies often operate in remote areas where other networks are ineffective. We need to ensure we minimise the danger to both casualties and team members, ensuring that health and safety is not compromised. Team members must be able to operate in these harsh terrains, feeling safe and confident they have the communications to perform their task and look after their own well being.

It would be immoral to do otherwise.