

BASIC DETAILS

Consultation title: Procedures for the Management of Satellite Filings: Charges and amendments to Procedures.

To (Ofcom contact): Stephen Philips

Name of respondent: Ian Hall

Representing (self or organisation/s): EADS Astrium Service & Paradigm Services

Address (if not received by email):

CONFIDENTIALITY

What do you want Ofcom to keep confidential?

Nothing

☒

Name/address/contact details/job title

☐

Whole response

☐

Organisation

☐

Part of the response

☐

If there is no separate annex, which parts?

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Name: Ian Hall

Signed (if hard copy)

Procedures for the Management of Satellite Filings: Charges and amendments to Procedures.

EADS Astrium Services and Paradigm Services Submission

Question 1: Are there any other options for cost recovery we should consider? If so, what are they?

I believe the options for cost recovery are suitable, however a mixture of the 'scaled fee' and 'hourly charge' should be considered. As I outlined below in point 5, a preference for complete transparency from Ofcom when performing tasks on behalf of the operator is required. A reasonable assessment of the work to be undertaken and a quoted charge should be provided by Ofcom. In a large majority of cases this could be given by a table for discrete simple tasks and may be more honed for specific tasks for each network. I would also like to see some service level agreements such that if Ofcom do not meet timescales or fail the task in some way there is some recompense. Like any other service, we would expect to pay for an agreed SLA.

Question 2: Do you agree with Ofcom's choice of preferred option for the basis of setting cost recovery fees for satellite filings and co-ordination? If not why not, what alternative would you propose and why?

In general the scaled fee works best however there is insufficient details on how this would be implemented. As stated in the answer to Q 1 and the points below, more detail and some options for the operator to either accept the offered service with Ofcom performing their full role or make a much reduced payment for a reduction in the Ofcom service offering. If the operator is to be tied to using Ofcom then the monopoly should be softened in some way.

Question 3: Do you agree with the proposal that the Procedures should be amended so that before submitting a request for co-ordination to the ITU, Ofcom should accept evidence of the existence of construction and launch contracts, or a firm date on which they are expected to be signed as a sufficient basis for submission of a request for co-ordination to the ITU?

For satellite filings I believe that Ofcom should not require evidence of the existence of a construction or launch contract (or firm date for one) before a coordination request is submitted to the ITU. At the time of submitting a coordination request, it is not always certain the construction route and communication of a date for signature is unlikely to be stable. If operators are willing to pay for Ofcom to submit the filings to the ITU then this is sufficient to encourage only real operators to submit real filings. Why does Ofcom feel the need for additional check, above that required by the ITU?

Question 4: Do you agree that Ofcom should suppress filings at the ITU if operators request it to do so without inviting expressions of interest from other UK operators?

If an operator requests a filing to be suppressed at the ITU then Ofcom should follow these instructions. The filing should not be offered to any other operator. If other UK

operators wish to file in those bands with similar characteristics then they can do so. However it is unlikely that two operators will require the same filed characteristics as each other for their satellite

Other comments to Procedures for the Management of Satellite Filings:
Charges and amendments to Procedures

1. Can Ofcom give a detailed breakdown of the £400,000 per year costs for satellite filings. How is the £380,000 staff costs incurred. What are the salary bands and grades for staff and what controls are in place for the annual salary review for staff and entrance salary level of new staff? What is the headcount on the team? Does this cover Ofcom's overheads of operating out of a prime London location?
2. Section 5.4 states that a significant part of the cost recovery is due to the business plan and supporting documentation. This is criteria set down by Ofcom, which Ofcom now want to charge for. What assurances do we have that the criteria for due diligence will not expand and therefore costs increase? What steps are Ofcom taking to become more efficient and pragmatic in respect of the due diligence activity?
3. Section 4.13 Ofcom states that the principle for cost recovery was accepted at the previous consultation on the filing and Network procedures. The previous consultation stated that cost recovery was inevitable and not an option. The principle of charging for services is widely accepted when options for service providers are available. Ofcom has the monopoly on the submission of filings from the UK, therefore satellite operators have no choice but to accept the service provided by Ofcom. We are in acceptance of the principle of charging provided that service is of an acceptable quality. I would like to hear Ofcom's definition of a service level agreement to deliver their service offering
4. Section 5.5 states Ofcom perform detailed analysis of the satellite filings during the coordination phase. If this is the case then the ITU would not return submissions for technical correctness or conformance with the Radio Regulations. What process does Ofcom propose for ensuring that its service to the operators is met and that any errors are reimbursed?
5. Section 5.12, hourly charge, does Ofcom propose to provides operators with quotations for each task i.e. for BRIFIC forwarding, and requests for forwarding API / Coordination / Notification submissions to the ITU? Does Ofcom propose to give operators the option of having their submissions analysed and checked by Ofcom for compliance or simply use Ofcom as a the ITU 'post-box'? This seems a reasonable way ahead to soften the Monopoly Ofcom has on filing submissions.
6. Section 5.15 Cost over / under recovery gives no incentive for Ofcom to improve the processes or reduce costs incurred year by year. A fee for work undertaken should put the emphasis on Ofcom to perform the work satisfactorily to agreed timescales and quality controls. Any overrun or inefficiencies should be born by Ofcom.
7. We believe that the system of cost recovery is not applicable to operators with satellite filings submitted on behalf of UK MOD or UK MOD itself.