Name and title under which you would like this response to appear:

Representing:

Self

Organisation (if applicable):

Email:

What do you want Ofcom to keep confidential?:

Keep part of the response confidential

If you want part of your response kept confidential, which parts?:

Email and address

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Ofcom should only publish this response after the consultation has ended:

You may publish my response on receipt

Question 1: Do you agree with Ofcom?s proposed overall approach to improving the management of public sector spectrum holdings and, in particular, with Ofcom?s conclusion that it will generally be preferable for public sector bodies to interact directly with the market?:

No - this is a fundamentally flawed approach.

In general the history of using taxation to control behaviour is not good. Laws are for control and taxation is for revenue-gathering.

One reason for this is simply that it is legitimate (and morally acceptable) to use of every option available to minimise tax liabilities. Someone who contrives to avoid the spirit of the law by using loopholes is normally subject to considerable peer (and therefore market-driven) pressure.

In short determine the requirements rather than the financial opportunities. As long as OFCOM have a remit to generate revenue from licencing the use of the EM spectrum there will be a dangerous conflict of interest between optimal use of the spectrum and profit.

Question 2: What factors do you consider Ofcom should take into account in determining the programme of reform in the framework for managing public sector spectrum holdings?:

There is little requirement for for increased bandwidth or capacity beyond the ridiculous commercial hyping of such thing as video over mobile, etc.

The primary requirement which MUST remain free is the simple ability to communicate via VHF radio . Radar and transponder frequency must also remain freely available for use albeit in an approved fashion (i.e. with approprpriate equipment and for appropriate purposes) In adition basic communications such as text and speech via cellular or other mechanisms should remain freely available.

The exorbitant use of bandwidth for commercial purposes can realistically be controlled by taxation (please do not insult the population by trying to call it something else) but there is a large risk that the price to the consumer will not reflect the price to the service provider (i.e. basic phone services will be charged at a premium to subsidise adoption of so-called "value add" services.

Question 3: Do you consider that the proposals should be phased in?:

From March 2006, there will be a presumption that public bodies will acquire spectrum through the market, with administrative assignment by Ofcom only being made in exceptional cases.

This is the most dangerous and ludicrous statement I have heard for a long time. The one thing a government is required to do is govern - it is repsonsibility of OFCOM to manage the resource. An assumption that market forces will result in the most beneficial management of the EM spectrum is farcical in the extreme. It is already apparent that the most profitable uses of bandwidth are for advertising, popular entertainment (usually with minimal social value, and possibly pornography.

Question 4: Do you agree with Ofcom?s proposals about the frequency bands that offer the greatest potential benefits from band sharing? Are there other frequency bands where the facility to trade or lease spectrum from public sector bodies would be particularly attractive?:

Please my comments below in the comments section - there is an opportunity to allow for revenue generation from bandwidth. However let's get this straight. I don't agree with OFCOM's proposals. You've just introduced a lifetime licence for maritime users, eliminating the original annual licence and now you're talking about intoducing charging for that sector? In the civil aviation and martime sectors public safety and free communication are the same thing. Your "AIP" or tax is going to discourage

people from pruchasing safety equipment. Put it another another you a creating an incentive not to use radar, have a radio, have a transponder, etc.

If you gentuinely want to create bandwidth then "incentify" the introduction of digital technology that minimises bandwidth - none of these propsals do that. If it is left to market forces then we will see competing standards as with blu-ray vs HD DVD, NTSC vs PAL, 3G vs EDGE, Betamax vs VHS, etc. History shows that, all to frequently the winner is NOT the best choice and it is the government's responsibility to ensure it's electorate does not suffer that chaos because it has chosen to opt out of governing the spectrum.

Question 5: Do you agree with Ofcom?s proposed approach to awarding public sector licences and RSA?:

From March 2006, there will be a presumption that public bodies will acquire spectrum through the market, with administrative assignment by Ofcom only being made in exceptional cases.

This is the most dangerous and ludicrous statement I have heard for a long time. The one thing a government is required to do is govern - it is repsonsibility of OFCOM to manage the resource. An assumption that market forces will result in the most beneficial management of the EM spectrum is farcical in the extreme. It is already apparent that the most profitable uses of bandwidth are for advertising, popular entertainment (usually with minimal social value, and possibly pornography.

I have no issue with the government requiring revenue to provide services but one look at what happens when market forces are allowed to pervail in inappropriate circumstances should show the risk associated with this approach.

Firstly the is the "BBC" situation with phone-in competitions, then there is the risk that bandwidth could be purchased and used to control content in the manner of many newspapers today. As ISP's move to wireless in entire cities this is a very real possibility.

Question 6: Should public sector spectrum trading be introduced at this stage in the Channel Islands and Isle of Man?:

I wasn't aware the UK government had that gift.

Question 7: Should there be additional grounds, eg safety-related, for Ofcom to refuse consent to a proposed trade in certain frequency bands or for certain applications?:

As above maritime and aviation frquencies are a unque case by their very nature of being transport-related for two reasons - firstly they are international. Secondly they have a critical safety function. The abuse of these bands should be heavily punished because of the safety issue but their APPROPRIATE use should remain as free of constraint as possible.

Obviously Armed Forces, Police and other emergency services usage should also not be subject to market forces.

Comments:

Two major comments:

Firstly it is content that is critical not the spectrum itself. This might sound farcical but it is far more logical to consider the SLA approach used in telecomms. Effectively assign the frequencies to their technically appropriate role (e.g. VHF for medium range communication, etc.) and then allow market forces to buy capacity, ensuring that critical usage (emergency services, safety, etc) have priority. This is done in a roundabout way already, but very inefficiently. Channel 16, 121.5, 243 etc are effectively priority channels and Manydays, Pan Pans' etc are priority calls.

As a precursor to this the government could legislate for the mandatory adoption of digital equipment, initially to reduce bandwidth by automatic frequency switching (i.e. autjomtically switching traffic to unused frequencies). This is likely to reduce the number of channels required, especially is it would allow traditionally segregated users (maritime, civil, even police and emergency services) to share channels without even realising it. It would be simple to allow ambulance services priority over non-essential traffic for example, and for Maydays to override other traffic and even be heard across a number of frequencies.

Once the concept of firmware controlling frequency allocation is built in to a set then it is easy to upgrade and optimise channel usage, expnding and contracting available frequencies as appropriate.

The next logical step is a major conceptual change but a comparitively small technology change.

The same standards that allow firnware to control frequency allocation (by packet headers, used throughout telecoms almost universally) would then easily allow allow a switch to allocation based on priority. In other an aircraft could easily communicate with air traffic control on a frequency otherwise fully utilised by the entertainment industry. Although a major leap of faith for some this practice occurs all day every day over land lines where critical communications are sent via the same cables and fibres as all other traffic. It would be very simple for the government to sell "header authorisation" to ISP's for example even choosing to charge a premium for "luxury" entertainment but less for news traffic and probably allow maritime and aviation free usage given that the actual traffic (as opposed to frequency allocation) is probably minimal.