

Comments from Alcatel-Lucent:

Alcatel-Lucent welcome this opportunity to support Ofcom in making the change to the UK Broadband licence as being an early step towards the objective of reforming the spectrum management regime in the UK.

Our answer to the specific question raised is as below.

Question 1: Do you agree that the case for making changes requested by UK Broadband to its licence has been made? If not, why would it not be appropriate to vary UK Broadband's Wireless Telegraphy Public Fixed Wireless Access Operator Licence by (i) allowing application neutrality and (ii) increasing the permitted maximum in-band EIRP, and why would it not be appropriate to vary the licence as soon as practicable?

We agree that a good case has been made to introduce these changes to the UK Broadband licence, however we would still like to comment further on the two specific points raised in the question.

In reply to point (i), *allowing application neutrality*, we consider the change to an application neutral licence will bring advantages to benefit the citizens through increased competition in the supply of mobile data services through both a choice of supplier and competing delivery platform. Suitable WiMAX equipment designed for mobile use is currently becoming available for this band and, as it is also being implemented in other European countries, there should be an adequate market to ensure a supply of suitable equipment. Much of the technology and components are the same as those used for fixed applications, which will further help in achieving a supply of low-cost consumer equipment.

In reply to point (ii), *increasing the permitted maximum in-band EIRP*, we particularly welcome the acknowledgement by Ofcom that the EIRP limits need to be raised for mobile applications. We also recognise that the associated out of band emission limits will be retained while these limits are studied in the CEPT and ETSI as part of the WAPECS mandates. However, when the results of the studies are known we hope that Ofcom will make any possible relaxation in the limits as soon as possible in order to ensure that there is no unnecessary cost penalty for the 3.5GHz mobile stations which could affect the competitive position of UK Broadband compared to the incumbent mobile operators.