

Title:

Mr

Forename:

Ben

Surname:

Berends

Representing:

Organisation

Organisation (if applicable):

KLM

Email:

What do you want Ofcom to keep confidential?:

Keep nothing confidential

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

None

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

Additional comments:

None

Question 1: Do you consider that our proposed fee rates for licences in the aeronautical VHF frequencies are appropriate?:

Civil aviation is paying for all its infrastructure, including navigation, communication and surveillance functionality and systems, both "on the ground" and in the air (aircraft installation, avionics). The aviation use of radio and the assigned VHF radiofrequencies is not an airline/airspace user choice: ICAO establishes the Standards and Recommended Practices (SARPS) to which aviation has to adhere. These SARPS are beyond the control of an airline.

Pricing the use of the aeronautical VHF frequencies will thus only add to our operational cost without providing any incentive for change, i.e. more efficient use of the VHF radio spectrum. There simply is no alternative.

More efficient use of the VHF spectrum was achieved in 3 ways: (1) introducing 8.33 kHz, a costly exercise for the airlines, replacing all 3 VHF radios on every airplane, (2) the introduction of ACARS datalink, (3) the recent introduction of VDL Mode 2, increasing the data throughput per available channel. Still Ofcom is pricing any channel based on its bandwidth, regardless of achieved efficiency improvement, thus showing us that any attempt to improve efficient use of aeronautical VHF spectrum is not having any pay-back effect.

KLM fully supports the positions AEA and IATA have expressed with respect to AIP.

Question 2: In devising our revised proposals, have we identified all of the aeronautical uses of VHF communications frequencies which require a distinct approach to fee setting, as set out in tables 5 and 6?:

Yes, but Ofcom did not consider the investment required (see question 1) to achieve more efficient use of the aeronautical VHF-spectrum.

Airlines fully reject the Ofcom proposed spectrum pricing.

New developments (SESAR/NEXTGEN) will most likely provide alternatives for efficient use of spectrum, however, the need for bandwidth will increase for the urgent need of increased flight efficiency (and reduced environmental impact). In practice the aeronautical VHF-spectrum will serve aviation for the foreseeable future.

Question 3: Do you agree with our proposal not to charge any fees for Fire assignments?:

Airlines fully reject the Ofcom proposed spectrum pricing for all categories of use or assignment.

Question 4: Do you agree with our proposal to set a £75 fee for licences in any of the sporting frequencies?:

Airlines fully reject the Ofcom proposed spectrum pricing for all categories of use or assignment.

Question 5: Do you agree with our proposal to set an annual fee of £19,800 per ACARS or VDL assignment, with no variation related to the number of transmitters?:

Airlines fully reject the Ofcom proposed spectrum pricing for all categories of use or assignment.

Question 6: Do you consider that our proposed approach to phasing in fees for use of the aeronautical VHF communications channels are appropriate? If there are particular reasons why you consider that any user or group of users would need longer phasing-in periods, please provide any supporting evidence for us to consider. Specifically, do you have any evidence for us to consider that would support either of Options 1 and 2 for the highest proposed fee in this sector?:

See answers under Q1 & Q2. The Ofcom proposed AIP will not be instrumental in achieving the intended purpose. AIP will only increase airline operational cost.

Question 7: Do you have any further quantified information to contribute to the analysis of financial impacts of the proposed fees on particular spectrum users, as set out in Annex 5? We would like to publish all responses, but will respect the confidentiality of any material which is clearly marked as such.:

No other than the earlier reference to the investments we already made in improving the efficient use of aeronautical VHF-spectrum.

Question 8: Do you consider that our assessment of the impacts of our proposals has taken full account of relevant factors? If you consider that there is additional evidence that would indicate particular impacts we should take into account, we would be grateful if you could provide this.:

Ofcoms assessment has not taken into account the 'global' character of aviation and what is needed in terms of radio bandwidth for safe and efficient worldwide flight operation.

Ofcom also failed to identify (since there are no simple) methods or mechanisms to increase the efficient use of aeronautical VHF-spectrum. Thus the Ofcom proposed AIP, if introduced, will only result in a financial penalty for aviation.