

Title:

Prof

Forename:

Norbert

Surname:

Schmitt

Representing:

Self

Organisation (if applicable):

Email:

What do you want Ofcom to keep confidential?:

Keep nothing confidential

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

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:

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

No, I strongly feel that the proposed fees are totally inappropriate. I am a private pilot, and the frequency band under consideration has been allotted to enhance flight safety by international agreement, which OFCOM has no right to challenge. The proposal will have the opposite effect as it will directly compromise safety. OFCOM's position

that "We do not deal with issues of safety" is completely untenable, as the main purpose of these frequencies is precisely that: safety. I am not a legal expert, but I would suspect that the inevitable loss of safety if this proposal goes through would put the instigators (officials at OFCOM) a legal risk for any aviation accidents that might occur as a result of their actions.

Also, your assumption is that higher fees will lead to greater efficiency is totally without basis in my considered view. There is a great deal of evidence that the airband is NOT oversubscribed (e.g. see the Light Aircraft Association response documents; Prof. Cave's 2005 report), and so there are no efficiency gains to be made. In any case, enforcing these fees on the aviation community will have the effect of driving small airfields out of operation, as ever escalating costs of initiatives like these are unsustainable for smaller operators. Thus this proposal would lead directly to the decline of aviation in the UK.

To show how flawed the OFCOM logic is, you assert that the 'freed' frequencies would go to more efficient users. However, in fact they would revert back to the European allocation 'pot' and will very likely go to other European users instead of UK users. Thus again, the proposal directly impacts UK aviation in a negative manner.

For all of these reasons, I strongly feel that this proposal to change the fee structure for aviation radio frequencies (many people liken it to a tax, which it effectively is) is bad for UK aviation, and bad for the UK in general. I believe this whole proposal should be completely scrapped. Furthermore, it should not be resurrected in some other guise.

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?:

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

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

No. See response to Question 1.

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?:

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?:

No. See response to Question 1.

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.:

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.:

No. See response to Question 1.