

**Ofcom consultation : Applying spectrum pricing to the maritime sector,
and new arrangements for the management of spectrum used for radar and
aeronautical navigation aids**

**International Air Transport Association
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IATA strongly supports the Ofcom proposal for Government (DfT) to assume the strategic management role for the radar and aeronautical navigation aids and that no AIP proposals should be developed. IATA further believes that maritime internationally allocated VHF spectrum should also be managed by the DfT and that no AIP proposals would be appropriate.

IATA is the global trade association for the world's airlines. Its membership includes some 230 airlines from 117 countries including 5 UK based airlines. Flights by IATA members represent 93% of world's international scheduled traffic IATA members carried 1.6 billion passengers (scheduled) in 2007 and 44.1 million tones of freight. Some 130 of our member airlines fly to, from and through UK airspace.

Introduction

IATA welcomes the opportunity to respond to this consultation, although we do not understand why the maritime and aeronautical VHF AIP issues were split into two separate consultations. It would have been much more efficient to treat the two together in view of our common priorities and international characteristics.

Secondly, the fact that Ofcom published the details regarding new arrangements for the management of spectrum used for radar and aeronautical navigation aids only in this maritime consultation is not appropriate. The new arrangements proposed would impact on both the maritime and aviation sectors and relevant information should have been given in both consultations.

In this response, IATA deals with general AIP considerations as well as the proposal for the management of radar and aeronautical navigation aids to reside with DfT. Our maritime colleagues are better placed to comment on the specifics of their VHF use.

AIP principles

The principles behind this and previous consultations remain unclear to IATA. Ofcom has still not identified exactly what is not efficient nor what benefits are being denied to the UK citizens by current international usage of VHF spectrum. The idea of using spectrum to the best value is entirely subjective as every user believes the services provided are of high value – this is indisputable for safety of life services.

There is little prospect that AIP application to internationally allocated VHF spectrum could deliver increased efficiency.

The international and safety obligations and responsibilities have not disappeared since the last consultation and there is an international process to follow that neither the maritime nor aeronautical sectors can change nor can the UK unilaterally ignore global treaties.

Ofcom may argue that AIP charges would be minimal. IATA's response is that any unjustified charge, fee or tax is unjust no matter how small it is.

For the above reasons, the only way to deliver efficient spectrum management of internationally allocated VHF spectrum is for the DfT to manage it.

Government Strategic Management of Radar and Aeronautical Radionavigation spectrum.

IATA supports the Ofcom proposal not to apply AIP to radar and aeronautical radionavigation spectrum and to entrust the Government (DfT) with strategic management of this spectrum. Any initiative that will increase efficiency and ensure safety management is welcome.

As outlined in the consultation, there is a need for much international coordination, and safety of life operations must be ensured by DfT. To quote from paragraph 5.12:

“ Professor Cave drew attention in the 2002 Review to the different regulatory responsibility due to international safety and interoperability frameworks in place noted that “Spectrum for aeronautical use, in common with all other spectrum use, is allocated by the ITU. However, in order to achieve global inter-operability, equipment standards and frequency planning criteria are further harmonised through the International Civil Aviation Organisation (ICAO), which requires compliance with published Standards and Recommended Practices (SARPs). In addition, in Europe, the European Organisation for the Safety of Air Navigation, Eurocontrol, provides the institutional and support framework within which the spectrum and frequency management processes are coordinated in conjunction with ICAO. The overall aim is to ensure that the communications, navigation and surveillance strategies in support of aviation in Europe can be achieved. However, the overall responsibility for spectrum and frequency management remains a matter for national Governments”⁹.

DfT, and subsequently CAA and MCA, are better placed to understand the technical and operational requirements and regulatory issues.

However, as the proposal for Government to manage this spectrum is still very general, IATA looks forward to learning more details of how this management will be accomplished and remains cautious with regard to how potential costs may be distributed. It is assumed that management by the responsible government department will ensure that proper consideration is given to the economic impacts of any changes.

Government Management of internationally allocated VHF spectrum

As previously stated, we believe that the internationally allocated VHF spectrum - in this case for maritime - must also be transferred to the DfT (or delegated to the MCA as appropriate) who should have a much better understanding of the operational implications and the dynamics of any spectrum changes required; should be better placed to promote the issues in the international arena, and should be in a better position to recognise the economic impact of any charging regime on the industry.