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?:

name and email

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 1.1: What are the implications of market change for mobile and wireless services?:

A deep financial division between the home and mobile phone services, with consumers needing to think and pick the correct phone to get a reasonable cost per call.
A home phone is too expensive to phone a mobile from for example.

Question 1.2: How are citizens and consumers affected by developments in the mobile sector?:

Phones offered in the market are chosen to increase consumer dissatisfaction through offering features that most do not use, or do not have the technical ability to use. Thus advertising by companies pushes phones on monthly deals that are extremely expensive to buy without a 'sim' but are offered to consumers as part of a pay monthly package. you could argue this is a case of caveat emptor, but when the market is saturated with only highly technical fashion phones on expensive monthly contracts, including deals aimed at the young with specific colours only available at certain retailers or call packages, there is a degree of market coercion going on which is unhealthy.

The reliance on highly expensive and extensively advertised phones creates an artificial need out of proportion with the product benefit. This encourages street crime.

There is a casual acceptance that the mobile phone insurance sold aggressively by all

retailers is designed to let you dump your phone / sell it and claim for a new one when you are fed up with it. the lack of effective checks to this system cause the casual criminalisation of people and a change in their attitude towards their own social responsibility.

Question 1.3: What are the purposes of mobile regulation, and where should its focus lie?:

To promote and actively regulate a competitive market which is open to all consumers and does not disproportionately benfit specific sectors of society.

I personally believe that the regulator has a rule to promote a mature market able to encourage the promotion and use of telecommunications to the benefit of society. Mobile phones in particular have an enormous impact in how technology and communication is perceived and used. The current overemphasis on fashion and function in the handsets promoted alienate people from the positive use of technology and turn them into passive users of a menu of options created by the market to further phone sales over all other considerations.

Question 1.4: What is the scope for deregulation, competition and innovation in the mobile sector?:

Massive. Phone frequency auctions, thoug conducted to great benefit to the exchequer, have created a series of 'Baby Bells', akin to the situation in America following the forced splitting up of Bell Communication decades ago. The smaller companies have little effective competition different to to others. There are no truly independant shops becaus ethey do not allow them to set their own price structures. Thus you can walk into every T-Mobile phone shop in the whole UK and you will not get the package price discounted anywhere. As they 'own' the frequency, there is no room for competition. Competition that does exist is a result of the bloated oversupply of frequency sold off cheaply by the main brands. They do not use this to discount their own costs but continue to set high tariffs, especially for those on lower incomes.

Innovation, ultimately, will make great changes in the phone companies. The promotion of always on internet access, coupled with high bandwidth connections in 90% of the populated areas, will force companies to offer flat rate deals. This is akin to the early days of the mobile internet when costs were per mb (and still are on some aggressively priced packages).

Skype seems the obvious successor to mobile phones but I suspect some super simple industry standard program able to run on all mobile devices will usurp it.

Question 3.1: What do you think are the features of a well-functioning mobile market? What evidence do you see that those features are present in the UK market?:

Reasonable cost access to all, offering discounts to higher scale users. A focus on the positive use of technology and promoting handsets and devices with longevity.

I see little in the present market.

Call package for mobiles reward those who are better off by providong a disproportionately cheap, often unrealistically cheap cost per call. Example, someone with £10 a month to spend will get 100th of the call allowance of someone who spends £50.

Texts are disproportionately weighted towards the casual user even though the cost of texts to the phone companies are fixed regardless fo volume by a specific user.

handsets are 'subsidised' to below the market cost, only if you buy them on credit. their quality is suspect and break easily, and their insurance is a joke, intended to maximise revenues and indirectly encourage fraud.

Question 3.2: What measures are most appropriate to assess whether the mobile sector is performing well for citizens and consumers?:

True cost per call displayed in adverts.

A curbing of the excessive charges for 0845 and other specialist numbers. many mobiles charge premium rates for calls which would be free or included in the normal call package. This results in people having to 'double up' their phone systems to get reasonable calls on all the possible variants.

An increasingly complex and chaotic system, cheap to the financially and technically astute, but penalising every one else. You already need to be an accountant to work out the cheapest phone deal, you will need to become a computer scientist to access the services we are promised in the near future.

0845 numbers cost me a huge amount per year and are unavoidable. Customer service is becoming affordable only for the better off. Companies who are making significant amounts from the calls are not providing a level of service in answering quickly and minimising delays commensurate with the cost to consumers.

Phones with upgradeable parts / software that do not become out of date. there are few innovation sin the phone sold to the mid / lower market sector over those available 2 or more years ago. They are often cosmetic repackaging encouraging churn.

A regulation to make buying a phone direct, cheaper than from a shop. These are one-off purchases unlike groceries, but online costs are identical.

Question 3.3: How will market dynamics change as a result of trends such as availability of new spectrum, mobile broadband and new ways of delivering voice services?:

Eventually mobile companies will need to offer a lifestyle handset which gives 24/7 internet access, VOIP etc as the wireless sector is one on which smaller companies can compete. The integration of 'electronic wallet' service into phones will discourage consumers upgrading and this should reduce the profitability of high street shops all selling the same thing at exactly the same price.

VOIP is a piggyback service. New, as yet unseen services will offer direct integration which will be both simpler and cheaper to implement. SKYPE is a piggyback service, barely tolerated by the monolithic phone companies. What evolves from the concept fo SKYPE will challenge them.

Question 4.1: What is your experience, as an individual consumer or an organisation that uses mobile services?:

Insanely complicated call charge packages. Hardware not suited to the level of use. Unrealistic data charges for mobile internet. A lack of integration of VOIP and other internet communication into handsets. Increasingly complicated handsets sold as easier to use but riddled with inconsistencies in interface and use.
Holes in service. Excessively expensive customer service charges. indifferent staff, often located overseas, on premium numbers.

I was forced to write to the director of a mobile company by registered post to resolve one situation which had wasted 4 days of my time in total before that. the companies are not perceived as being services of the consumers and abuse their near monopolistic positions to stifle innovation and filter change through their coffers.

Question 4.2: How should regulators and policy-makers respond to signs of rising consumer concern? :

Further deregulate spectrum. Offer areas of spectrum for open access, with bandwidth limits, to smaller companies. Set a sliding scale on call packages between the cost per call for the cheapest and most expensive by a supplier.

insist on stringent (There are some excellent military ones!) tests on equipment to ensure it withstands the rigour of normal use. Some phones suffer a failure rate of over 20% within the first 6 months.)

Ensure that phone prices are realistic and that a choice of purchasing without contract is available , without being more than the cost of a phone on credit.

Question 4.3: What are the important factors to consider in striking a balance between protecting mobile consumers and enabling markets to work flexibly? Have we got this balance right in today?s mobile market?:

cost per call
Reliability of handsets
infrastructure versus call costs in mobile companies (spending disproportionate amounts on advertising and shops)

i do not think this balance is correct, and I feel the market has evolved to one leaching innovation out of the future to protect its present situation.

Question 5.1: How does the use of mobile services affect our participation as citizens in society?:

Phones as fashion items ensurage a throw away society. Innovative features which may truly revolutionise communications are not properly implemented, constant changing of pohones means consumers have little need to learn to use the latest device. Constant promotion of the latest fashion phone reduce the percieved value of old ohones, coupled with most phones poor reliability, leading to environmental problems from dumping of old phones.

Present use of Phones encourage a 'rental' mindset and keep people permanently in debt through credit agreements.

Phones are set up to encourage the use of high profit services, such as texts, but not VOIP.

Question 5.2: What factors should we take into account in thinking about access and inclusion issues in mobile markets?:

The cost of mobile phone shops, my city has up to 5 of the same brand within 1 mile of each other, is a major factor in the cost of telecommunications. These encourage churn and sell through credit by masking the true cost of a purchase to the often financially illiterate. I suspect there is a large degree of credit churn masking the true indebtedness of young people. Some young people in the 18-30 age bracket have multiple contracts which inludes phones they have given away / sold but are still paying for because the contract is cheaper to keep going than

By only making cheap phones and calls available through buying a certain package, this disadvantages those with low / no credit ratings and increases their costs per call enormously in relation to those on higher value contracts.

Question 5.3: What factors should we take into account in thinking about new services, and how those services may affect issues like protection of children, privacy and security?:

All phones ot have software on board that rejects calls from specific numbers, such as premium rate calls. gthis to be a universal interface and easy to use. A reporting mechanism for unwanted calls so they can be instantly noted from the phone to discourage nuisance callers.

An ending to the 'farming out' of 'customer service upgrade' calls to third parties, and to selling customer number sot others.

An 'OPT IN' service for all adult and premium services. '3 telecom' is particularly bad at this as their standard service offers adult media on all new handsets.

A low level wireless service offering reasonable internet access across as many places as possible to encourage communication. Say a 10K a second link. This would be enough to download text and calls and could be used freely by anyone. Companies

could then offer premium upgrades from this to include Video / streaming TV and other data rich services.

Question 5.4: Have you been affected by issues about coverage or 'not spots?? How has it affected you?:

My use of '3 telecoms' service has been plagued with signals suddenly failing in both voice and data communications. I have found that it is necessary to have two handsets on two different companies to have a reasonable chance of one working in the country.

Question 7.1: What do you see as the most influential trends and features of mobile and wireless markets in future?:

VOIP, Mobile Internet, development if convergence devices requiring an always on data connection

Question 7.2: What new policy and regulatory challenges could the trends identified in this section bring? Which policy and regulatory challenges could they address?:

This is far beyond the scope of the average person filling in this survey!

Question 8.1: Should Ofcom do more to promote competition in mobile and wireless markets?:

Of course, but fairly to benefit all sectors of society, not allow the present system that rewards the rich who can afford £35 a month or more call packages

Question 8.2: Ofcom's strategy in telecommunications is to promote competition at the deepest level of infrastructure that is effective and sustainable. How might this strategy be applied, given future developments in the mobile sector? Under what circumstances, if ever, would it make sense to consider access regulation for mobile platforms?:

See my previous comments

Question 8.3: What role can competition play in ensuring that future development of the mobile internet provides an open and flexible environment for a wide range of services? Should Ofcom explore open access requirements to ensure opportunities for innovation? What role might 'net neutrality? play in the mobile sector?:

As I mentioned previously, impose a nationwide low bandwidth free access for all by companies, not tied to a contract (Like many universities do) with charges by companies ofr higher bandwidth connections

Question 8.4: What role might competition play in addressing questions about transparency of prices, services and contractual conditions offered to consumers of mobile and wireless services? What role should regulation play in addressing these questions?:

Impose a 'costs' box giving the true cost per minute and the total cost of ownership in all adverts.

Question 8.5: What is the best way to promote content standards and ensure privacy protection for increasingly complex content and transaction services? How will privacy issues fare in a world where services are more personal and more complex?:

I suspect that battle is lost and unless companies band together to create a 'gated community' internet suitable for their country specific laws, it will not prove possible to make it workable.

Question 8.6: Will the mobile termination rate regime need to evolve or change more fundamentally? What is the best approach to adopt?:

I have limited understanding of this but I feel the termination rate makes an artificial divide between home and mobile use needing consumers to own both which is financially divisive.

Question 8.7: If competition does not reduce international roaming charges sufficiently, how should regulators respond, if at all?:

Follow the examples set by the international call card operators who buy blocks of time and resell it.

Question 8.8: How might universal service and universal access need to adapt in a world where we increasingly rely on mobile services? What role might mobile play in universal access delivery in future?:

Impose a standard data rate for all, free. low but still usable for most tasks.

Question 8.9: Can markets and commercial agreements address issues such as ?not spots? and emergency access?If not, what role might be played by a regulator to address these issues?:

Set up emergency access only masts, paid for by all operators with a tax, in the worst areas. impose a universal emergency system on the companies where they have to handle other companies traffic for emergency only calls.

Question 8.10: How might access for particular groups (such as the elderly and disabled users) need to evolve in future? What role can competition play in addressing these questions?:

Free, low data rate access universally

Question 8.11: Do you have any comments regarding our proposed way forward and the objectives of the next phase of this Assessment?:

Make this form much much simpler and in plain English, with help notes explaining the present situation and how we arrived where we are.

Additional comments:

I am extremely knowledgeable technically, but it has taxed my intellect to fill this form in. I strongly suspect that mobile phone companies with lawyers and PR departments will respond better than I am able to because the remit and sheer size of this form is so intimidating. This will bias the responses towards inaction on the present market.