

What do you want Ofcom to keep confidential?:

Keep name 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

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

Mobile data services (3G) would, if satisfactory coverage existed, reduce the dangers of a 'digital divide'. Radio based services are preferable to having to install a land-line or a cable service. Many people in the UK do not have a telephony land-line and for these people, 3G or 2G is the only way possible to get on the internet. Market change has occurred during the last 12 months in the form of a reduction in pricing to £15 per month in most cases. But also by extravagant and misleading claims for 3G coverage, where it does not exist.

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

The availability of mobile data services is both a god-send, and also a cause for much aggravation where the coverage claims are incorrect.

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

Regulation is necessary in order to protect consumer rights, and to promote satisfactory trading and working practices so that consumers are not misled and defrauded.

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

There is enormous scope for the 3G providers to boost their signal levels, install more masts, and increase their coverage to the point where the coverage map becomes

truthful rather than a fiction. There are many highly populated areas in the south east currently getting no usable level of 3G signal from any of the providers. This is pure competition. The first provider to provide a usable signal will get all the customers.

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?:

There must be a number of service providers. This condition is being met, as there are five. Each must provide the opportunity for the prospective customer to test data reception or signal strength in their area, without signing a contract. This is not being met.

Coverage maps must be accurate. This is not being met.

Returns procedures must be provided, so that when the customer cannot receive the described service, the item can be returned and the contract ended. This is not being met properly by all the companies.

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

It would be helpful if someone could provide a zoomable web map, where consumers could add a small dot and say what works and what does not work there. In other words, a TRUE or ACTUAL coverage map.

Vodafone is the only service provider who's coverage map is honest. The worst offender is Orange - their map bears no resemblance to reality.

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?:

It is to be hoped that better technologies will become more common. Community-based (free) wireless services should be encouraged and extended. Only a few cities have it at the moment. Wi-Max is sounding as though it would be better than 3G and I wish the service providers would start deploying it.

There is no need to have new ways of delivering voice services. Voice doesn't have a problem because the 2G or GSM network exists and works.

The problem we have is that the 3G coverage does not exist except in large towns.

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

I live in a University town (University of Essex, Wivenhoe). We can't receive 3G here - only 2G at 5 KB/s.

This is despite the fact that several service providers have claimed 3G coverage here. Vodafone are honest and do NOT claim 3G. The others are being dishonest and their maps need correcting.

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

Start by fining the service providers every time a consumer has to return a receiver because the coverage claims were incorrect.

Also bring in a fines system for cases where providers try to strip the consumer of their statutory rights or otherwise obstruct a return of a defective item. Orange, for example, tell customers who try to return something that "there is no returns policy, you can't return it, you signed a contract".

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?:

Judging by sharp practice in the High Street, no, consumers are being treated badly. Also, the claims made for data coverage are pure deception (except Vodafone who are more accurate).

The important factors to consider are:-

Honest trade descriptions.

Fair play.

Making sure that consumers are aware of their rights.

Making sure that there is a Returns Procedure.

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

Having internet access, even at 2G speeds, makes a massive difference to a person's life. It keeps people informed, and gives them a voice. It is a corner stone of democracy.

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

Mobile markets do not have the potential to deliver anything like as much bandwidth as ADSL or cable services. Therefore I believe there is a case for service providers to find a means to bandwidth-restrict greedy customers. I am against the use of video on demand and I do not think the internet should be expected to provide television services. The BBC made a big mistake in that regard, which is proving to be to everyone's disadvantage.

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?:

I do not think these should be concerns of government or of the regulator. The general public are already well aware and educated in these issues, and it is up to the individual and the parent to look after their own and their childrens safety.

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

Yes, I have been misled by service providers clearly showing 3G coverage where in reality there is none. Orange and "3" have been guilty of this. I suffered inconvenience, some stress, and some cost and had to return products. The returns police of "3" was exemplary, but Orange were terrible.

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

I think demand will grow, and the service providers will HAVE to improve coverage. I believe that over the next 10 to 15 years there will be better radio-based technologies coming into use.

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?:

Consumer rights, as mentioned above.

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

Yes, if possible. I doubt whether it is possible. Providing adequate infrastructure is an extremely expensive business and takes many years, possibly decades.

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?:

I don't know. I think this can only be answered by workers within the telecoms industry who have inside knowledge.

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?:

Net neutrality is a highly important priority and should be fought for. In mobile data there might be a case for infringing net neutrality if certain users try to take too much bandwidth.

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?:

The existence of a Returns Policy and Cooling Off Period should be made more prominent at the time of sale.

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 think this means internet banking and the like? I would say that the market is coping very well with combating fraud. It seems to come down to evolving working practices, more than to technology issues. The worst threats to privacy and data-protection come after the event, when company database-servers get infiltrated or when workers lose laptops or media.

Across the internet, transactions themselves can be quite secure.

So any regulatory efforts should be aimed at ensuring that companies delete data when it has served its purpose, and try to safeguard their servers against unauthorised access.

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

Sorry, question not understood (I don't work in the industry).

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

Service providers are dragging their feet here. Work with the EU and be much more heavy handed to force companies to give value for money.

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?:

The ideal world would have every town providing free wireless internet access. Some do already - New York does in most of the parks, and I believe Westminster is trying? I would like to see this become general rather than the exception. This could be of huge benefit to welfare services and to the elderly, not to mention everyone else.

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?:

Emergency services already have their own wavelengths (Airwave, etc). I don't see this as an issue. Don't rely on commercial providers - they are not dependable.

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?:

I believe public spending could provide free community wi-fi (or more likely, Wi-Max).

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

No.

Additional comments: