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?:

Further consolidation of position by leading 5 mobile players, BT find even more creative ways to sell customer data and standards of service decline.

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

There will always be someone keen to get onboard with the latest technology whatever the cost. Mobile broadband (still a relatively new thing) is interesting and, for some, possibly useful but the cost vs Mb of data ratio isn't going to make it worthwhile for me or, I suspect, lots of other consumers. The technology to put that service in place will have to be paid for and every mobile customer will inevitably have to pay a piece whether or not they use the service.

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

To ensure customers aren't charged excessively for calls, to prevent networks acting in collusion with one another to push the costs of calls up or to muddy the waters about who pays what and to whom, to ensure certain standards of service and administration are met by phone companies. To lay down enforced standards should disputes arise (I had many problems extracting myself from a contract with Orange after they changed the terms of the contract 3 months in). The focus should be on at least the above criteria if it isn't already.

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

I do not see that any "innovation" that regulation stifles as being a beneficial or positive innovation. That is the point of regulation, to try and prevent idiot consumers being fleeced by wily operators (a la Jamster) and ensure everyone knows what the rules are (and stick to them). Competition seems quite limited: we all know who the 5 big players are, they all offer packages more or less the same as one another and as soon as one brings in a new service or feature they all copy one another. They're not really competing, all their marketing does is shift a few percent of customers one way or another every month. The financial muscle and existing infrastructure that the 5 present mobile companies have now almost precludes anyone new from coming in. The best that Ofcom (and customers realistically) can expect is lower prices.

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?:

I'm a little disappointed you're not interested in why the public think Ofcom's undertaking this assessment. I don't think the sell-off of further spectrum is particularly wise or desirable.

Genuine competition between networks and retailers would be nice and a good indicator the market's working well - customers happy that the prices they're charged are clear and among the lowest in the world, the bills themselves should be clear. Free (or at least normal rate) calls or text messages should be the norm should you wish to cancel a subscription service (SMS news alerts, weekly ringtone downloads etc). Calls to 0800 numbers should actually be free to the caller. I see nothing like that.

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

Monitor number of complaints, publish league tables of who's worst and takes longest to respond to, or resolve, complaints; compare UK with other countries in respect of call/SMS/data costs and numbers of mobile networks in other countries and calculate where we stand. If we're among the lowest then competition in the sector is working well. If we're not, it's not.

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?:

I don't foresee much change. The big 5 will still be the big 5. I don't like VoIP, I've got a bad-ass computer at home for the www and, as mentioned above, mobile broadband's speed sucks and the bandwidth constraints make that unattractive. I suspect selling off more "spectrum" will mean big business owns even more of the world around us and will be unlikely to use it in ways that bring down costs to consumers. Ofcom will neither have the inclination, or the teeth, to make them do so.

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

Somewhere between mostly negative and meh. In the last 9 years I've been with two mobile networks. The first, Orange (who I was with for 7 years), was great as long as you stuck to using the phone for calls only. I was reasonably happy being able to email on the move from my phone when that service started but their GPRS coverage was sketchy, more and more restrictions came in and eventually it stopped being a free service. Any calls to their free helpline first pointed out that as an "extra" service there was nothing guaranteed about it and no expected standard or recompense should what I'd paid for be unavailable (as there was for voice-calls) and then I'd be redirected to their 50p per minute tech help line should I actually wish to get to the bottom of the problem. The sale to France Telecom (and Orange Internet to Wanadoo) just made things worse. In fact, Orange provide a clear example in the failure of Ofcom to ensure competition in mobile networks. The one thing I can say was good about them was, up until shortly into my last year with them, you could (on my call plan) call 0800 numbers for free. When they stopped free calls to these numbers the explanation I had more than once was "No other network lets you call them for free either, we're just moving into line with the rest of the market". A prima facie case of collusion if ever I heard one. Since I've been with my current network (I'm 9 months into my second 18 month contract) I've used them solely for voice-calls and SMS/MMS and have had no problem at all. In common with most businesses, mobile networks are keen as can be to help you sign up with them but once you've signed the next 12-18 months of your life away they seem to care significantly less.

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

By publicly naming and shaming the operators who people complain about most. Prosecute them and, rather than directing fines toward yourselves, ensure that customers who have been ripped-off get back what they've paid. In short, work for the consumer. Surely this is what a regulator does? You're not regulating for the networks are you?

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?:

Deregulation does not work. A company exists to drive revenue towards itself, it does not work for the benefit of its customers. The directors of any business have a legal obligation to ensure everything the business does is in the best interests of the business. A regulator should be doing it's job on behalf of the customers. After all, we can only choose from the available options. It's the regulator's job to ensure they are the most reliable/cheapest/best maintained options possible. As the country that started the industrial revolution that's led us to where we are today it's an appalling failure of regulation that our phone services, and the companies that supply them, are as piss-poor and expensive as they are.

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

Like many things, their real value can only be assessed once they're no longer available. Mostly, my mobile saves me a bit of time and means I don't have to be tied to one spot when I'm on the phone to someone. Other than that, the benefits of having a mobile aren't great.

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

Hard to say. The main factor to take into account is cost, both of phone purchase and calls. Were the network I was with (let alone the regulator, hello!) to offer serious consideration to charging me for receiving calls I would leave that network. Inevitably, if one does it, they'll all do it (see response to 4.1 above) and many people will be excluded from whatever benefits they normally perceive mobile phone ownership to bring.

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?:

Without knowing what the new services might be it's hard to say. As a starting point though, what would be the likely negative effects on consumers/people living near transmitters? In respect of privacy I take great offence to receiving unsolicited calls on my mobile phone and I would expect the regulator to prevent any service from being developed that would seek to make my telephone number available for sales/marketing/political campaigning without my express permission. I would put a stop to premium rate or subscription-based services as these frequently turn out not to be what the consumer expected and it will cost as much as receiving another useless download to stop receiving any more. You dropped the ball for us consumers there, Ofcom.

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

No.

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

Not an industry analyst so it's a bit hard to predict. Inevitably, where there's more flexibility there are more vulnerabilities - look at Internet Explorer! It's distinctly possible that additional services might suffer as a result of people having less disposable income over the next couple of years. I don't think TV is going to catch on - the trade-off between screen-size, portability, bandwidth, battery-life and cost isn't going to change radically, the ripple of apathy that followed the launch of 3 and video calling shows we want phones mostly for old-fashioned calls. The growing range of sub-notebook computers might increase mobile broadband demand but I think the credit crunch may again be a restricting factor.

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?:

As I'm not certain what changes might occur I can't really answer this one. As before, I think in all instances you should have the consumer's privacy and value for money foremost in any regulatory issue.

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

I don't think you can. You've failed abysmally in promoting competition in the landline market, what makes you think you'd be any less unsuccessful with mobiles?

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?:

What does "effective and sustainable" actually mean? If a private company wants to piss it's money up the wall and invest in something that's got no hope why is that Ofcom's concern? Why is it my concern? If I'm not a customer or shareholder why are we bothered? Aren't you talking about something that's outside your remit?

In any case, the practial effect of "effective and sustainable" in the fixed-line market has meant BT still has a virtual monopoly. One of the reasons I'm with the ISP I'm with is that, other than cable (and we've seen all of them get swallowed up by one big company - so much for choice and competition there), they were the only company other than BT who were able to supply me a phone line. Your claimed strategy has resulted in no change whatsoever except a far higher number of men-in-the-middle making a few bob buying services from a wholesaler and flogging them to consumers. It hasn't improved things for me at all. I think non-UK based firms should be less able to force their way in than domestic companies (with the exception of BT).

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 ever, it's all about cost. I don't think it's Ofcom's business to specify what services are available on the internet. Since access to the mobile internet isn't platform- (or OS) dependent I've either misunderstood this question or it's totally irrelevant to what I think you should be doing.

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?:

It should play a major one but in practice, it's quite minor. The companies make their offerings, we make a choice according to our needs. They should all be clearer and itemised billing should be an automatic thing. Regulation should provide stiff penalties for any network (or additional service provider - Jamster again springs to mind) whose Ts & Cs aren't clear from the outset. Calls to customer services and technical support should be free. Regulation should ensure and enforce these things.

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 personally use my phone for calls and SMS. I don't do anything of the sort described in the question. Mostly because I suspect privacy will fare badly and I do not wish this to be the case.

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

You could do a great deal to make the impact of this question clearer. It's only because I heard some discussion of this on the radio that I understand what it means. Unless I were a business providing a local-rate or free number for my customers to call I do not expect ever under any circumstances to pay for receiving a call. If Ofcom were to give this idea serious consideration you would expose yourselves as dirty corporate lackeys who in fact have been swayed by lobbyists for the industry who want to have their cake and eat it (and have consumers pay for it). If I make a call I expect to pay for it, I expect to have sorted out with my network what that call will cost beforehand. I do not, and would not ever accept paying for incoming calls. I would expect the regulator to make the point most vehemently to any network that cared to enquire that this is not acceptable in the UK. We are not the US, what works there does not always work here. We are not all here simply to provide income for business.

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

I imagine that whichever company in whichever EU state has the lowest roaming charges they're making a profit. Standardise them across Europe at the rate of the lowest.

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?:

What does this question even mean? You can't expect Joe Public to understand gobbledegook like that. Whoever set these questions obviously goes to too many meetings.

Who says we increasingly rely on mobile services? If they're all that's available then we will inevitably rely on them more but as long as there are other options I would rather keep my calls on my phone and other stuff on specific devices intended for their purpose.

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?:

Markets never will - if there's insufficient clamour (and no prospect of certain riches to be obtained) "the market" will never sort anything out. If the regulator has determined that 100% of the country needs to be covered you've got to enforce it whether commercially viable or not. Otherwise you're not a regulator, you're just a smokescreen (much like this consultation, no doubt).

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?:

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

I do not wish to ever be charged for receiving calls on my mobile. I cannot say what I think of your proposed way forward - at the moment it appears you're consulting on what it should be so it's impossible to review something that hasn't been written. The only thing I can say is you should be putting needs of consumers first and, for me, the most important factors are:
=1 - Privacy
=1 - Cost
=1 - Reliability
=2 - Transparency
=2 - Good customer service

Additional comments:

Could this not have been broken up into something a bit more manageable. I can't imagine a very high percentage of the people in the UK who have a mobile phone will sit for nearly two hours reading the consultation and considering replies to the questions you're facing us with.