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?:

The implications should be for a fairer market place for all involved - business and consumer. From a consumer point of view there is potential for confusion if there is lack of proper education about these changes. Essentially, manu consumers rely on mobile companies to inform them of how the market works, and in a highly competitive market place like mobile and wireless, the best interests of the consumer are not always at the top of the list.

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

Again this is a double edged sword. In one sense, we would all hope that consumers will benefit from "developments". I am of course assuming that these developments are progressions, or at least lead to a progression - be it technological, regulatory or financial. Unfortunately as was seen from the 3g debacle, the technological "development" damaged businesses, and effectively stagnated the market place for many years. It has taken at least 5 years for consumers to see any real benefit from 3g and even now, it is a second rate technology compared to what is just around the corner.

I think this specific circumstance demonstrated that the regulator made some appaling judgements. The direct result of these judgements and continued failure to take action to correct the problems that were caused resulted in huge damage to the market and ultimately the consumer.

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

It should lie with getting the best value for the consumer while making the marketplace fair for business. I think it's focus should start with the consumer and see where their needs lie and then devise a compromise that accommodates the needs of the business - I think the ultimate decision should be in favour of the consumer. Overall though, it should be at a strategic level but they shouldn't be afraid to take action in specific circumstances where business is unfairly exploiting consumers.

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

Deregulation is the other side of the blade and cannot exist in a market place where people rely on a service so heavily, without regulation.

Communication is a utility. People cannot trully function without it and as such, complete deregulation is opening the door to exploitation by business. The Tesco moto that "consumers vote with their feet" is to some extent true, but that assumes that consumers have all the information they need and have the time to take action. It also hides a motive that is basically saying "we will try to exploit you and if you're not happy, go to our competitor" which is a pretty arrogant stance to take. The difference with a company like tesco is that consumers aren't locked into a contract to buy from them, with mobiles for many people, this is not the case.

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?:

Highly competitive tarifs, constantly updated technology, continued investment in infrastructure, support for business at a government level in delivering infrastructure, highly aware consumers, and a low level of dissatisfaction from consumers.

We can see evidence of competitive tariffs between companies, the rate of technological innovation within the handset market is huge. What I don't think we really see is a governmental commitment to delivering what is rapidly becomming national communication infrastructure.

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

Consumer satisfaction levels i.e. numbers of complaints.

There also needs to be avid monitoring of hidden charges and independent cost analysis of those charges to determine if they are waranted. That is something that cannot be measured by asking consumers. Termination charges are a prime example.

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 think that already we are seeing telecommunications companies repond to new ways of delivering voice services. VOIP hitting technologically aware consumers appears to have the major players a bit worried. They realise the impact that "free" phone calls can have on their business and have sought to place restrictions on bandwidth and even block certain types of data traffic. On the other hand, some telcos have embraced the idea and will surely reap the rewards of doing so.

New spectrum can either serve to shake the telco markets to their core by allowing more smaller players into the fold, or it can effetively restrict potential competition by only allowing the existing big players enter the fray. This is going to be down to how the regulator conducts it's self and hopefully it has learnt from the stupidity of the 3g auctions.

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

Generally very good but there are aspects of mobile services that defy logic. To give a specific example - How can a 30 minute call to an 0800 number cost me nothing on a land line, but £20+ on a mobile? .

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

The previous example is exactly the type of thing the regulator needs to be aware of. They need to be auditing the telcos to find why these ridiculous charges exist and ensure that they are abolished. I think the more a market is deregulated, the more severe the penalty needs to be for companies that are found to be engaging in unfair practices. The penalties need to be made public and they need to be swiftly and decisively administered.

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?:

This is right to a certain extent but it appears that regulators have a long way to go. In some cases they seem to be like a tiger without claws which damages their credibility with consumers. Ultimately there needs to be a large amount of transparency about the problems, and the action that is being taken. We need to be able to hold the business, and the regulator to account.

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

Mobile phones have been for a long time the centre of many people's social contact network. From a personal perspective, there was a time when I knew every one of my friend's phone numbers from memory. Now, I am lucky to remember a single one. The number used to be the visible route to the person, now the name hides the

number. That is a profound difference and makes the mobile phone a device that is second in importance only to one's wallet - possibly more important.

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

Water is seen as necessary for life, and as such water companies have a responsibility to ensure it is provided to their consumers - regardless of circumstance. Mobile phones couldn't be considered necessary for life, but the impact that they now have on society as a whole is enormous and they do have a profound effect on the ability to participate in everyday social existence - for many at least.

I think that again, we need to look at the national communication network as critical infrastructure and ensure that it is available to all - be it mobile, fixed or otherwise.

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?:

This is always going to be a difficult area. There has to be a balance between the freedoms of individuals against their own social responsibility. I think there is little scope for a "one rule" type system and unfortunately, there will always be new circumstances where someone is adversely affected before we realise we need to do something to prevent it happening again. We can either carpet the entire world, or we can wear shoes.

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?:

VOIP
Ubiquity of mobile computing and the total integration of computing, the web and our personal information.

The trends emerging within the larger computing comunity are for operating systems to be a means to an end - a way for the consumer to get to their online presence/social circle. Ultimately it is about abstraction - why should I care about the specifics of how I get to write a document or which technology is used to route my call. Consumers will care less and less about the actual method and more about the ability.

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?:

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

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?:

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?:

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?:

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?:

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

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

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?:

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?:

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?:

Additional comments: