

**Title:**

Mrs

**Forename:**

Carole

**Surname:**

Benton

**Representing:**

Self

**Organisation (if applicable):**

**What do you want Ofcom to keep confidential?:**

Keep nothing 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?:**

Not informed enough to be able to answer this question

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

Decisions taken behind closed doors are imposed upon existing customers

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

Who knows? - arbitrary limits on internet access use, texts or minutes allocated are just designed to extract maximum profit. Customers have no say over how much their service costs, whether there are time constraints or penalties.

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

Free markets operate better than consortia

**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?:**

Flexible contracts.

There is no evidence of negotiation between consumers and retailers - all conditions are pre-determined.

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

The existence of two regulators (Otelco and Ofcom) both swamped with a backlog of consumer complaints is self-evident!

**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?:**

The mobile phone operators will restrict usage until their maximum profit can be squeezed.

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

I have a current complaint pending with Otelco - and my opinion of Carphone Warehouse is summed up in four letters.

Any organisation that doesn't allow customers to speak to the people dealing with their complaints - just "customer call-centre services", charged at premium rates, who freely admit that their screen only shows an outstanding bill, should be shut down by trading standards.

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

DO SOMETHING

**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?:**

No - the balance is skewed in favour of the providers.

The existence of so many payment plans, minimum term contracts and the exorbitant costs involved in roaming abroad or paying as you go should be a good indicator that something is very wrong.

It seems that it is only criminals trying to retain anonymity who benefit from PAYG.

No customer benefits from contracts - use too little and then lose your entitlement to carry it forward, use too much and pay premium costs. Failing to pay in advance, by direct debit, leads to incurring penalties or risking being "restricted" ( - because being cut off without notice is illegal).

If a handset breaks it may or may not be repaired/replaced because the contract only involves the function of the SIM, but try to negotiate the use of a handset not "allocated" to your provider and you meet a stonewall - or pay heavily to "unlock".

Insurance - pah! - don't tell me that anyone has profitted from handset insurance except the stores that mis-sell it.

Voicemail is a paid for service!

Pay for a Quad-band phone handset. Go abroad, find the phone doesn't work, get home, hang on a phone for hours and find that the service provider wasn't informed that you wanted that facility added to your contract package! It is free, you just needed to ask!

Who decides that a contract lasts 18 months no matter what the circumstances - certainly not the consumer? The only way out is to pay. But if they want to restrict the line and prevent you using the phone, they don't pay compensation - instead you pay a penalty because they were "forced" to punish you.

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

Are you serious? I don't know any member of society that doesn't feel disenfranchised without one.

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

Large keypads, louder ringtones & clear screens for the less-visual or aurally-challenged consumers.

**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?:**

If Schools & Colleges, Theatres and Cinemas could block signals - especially cameras and videoing - they would.

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

Train tunnels.

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

Internet access

**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?:**

Yes

**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?:**

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**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?:**

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**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?:**

If you have to pay in advance you should get that service.

Customer penalties should be a last resort, not applied arbitrarily. They should then be refundable if the error can be shown to be a failure of service.

**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?:**

If this question refers to using a phone as if it were an Oyster card, or for paying parking charges, then there is already a PIN and security system built in.

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

Yes - providers should not be able to set fixed term contracts - they are a restrictive practice.

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

Approach the EU and fine Europe wide - the providers are operating a cartel, it needs to be disbanded.

**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?:**

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**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?:**

The only people able to provide the service is the PROVIDER.

For trains, there must be a way to engage a phone into the body of the train to use the whole set of carriages as a mega-aerial.

**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?:**

Easier to use keypads, pre-set texting templates, louder ringtones, or other ways to make handbag-hidden phones accessible.

Bluetooth connectors within hearing aids.

If the providers perceive a profit, they will devise the technology.

**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:**