

**Title:**

Ms

**Forename:**

Alison

**Surname:**

Claxton

**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:**

Yes

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

Providers need to keep up with the changes in the market - this can cost significant proportions of profit and the consumer may be penalised.

Rushing features on the market to get dominance in the market and be able to market the fact that said provider was the first to supply a certain feature/capability can result in poor service because insufficient research has been undertaken into HOW the service/capability can be provided reliably.

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

The consumer may also be penalised by those providers who wish to rush certain features/capabilities onto the market to be "the world's or UK's first" to provider and to lead the market in order to establish dominance.

Development can also make earlier handsets obsolete faster, therefore contributing toward a more 'disposable culture', creating pollution by improper disposal and environmental complications.

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

Mobile regulation should protect the consumer by ensuring that pricing plans are both fair and clear, making it easier for a value-for-money choice.

More emphasis should be put on providing a reliable service with new technologies (such as an extra operation band) before unleashing them onto the market and also downward compatibility for products - batteries should be more interchangeable to allow older handsets to function after replacing an dysfunctional battery.

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

Competition already exists in the market but there are observable issues with dominant providers almost dictating pricing structures with their economies-of-scale, thereby short-changing the end-user.

Deregulation would be inadvisable as the consumer may find that they have less choice or poor quality of service.

Innovation within the market already exists - certain providers give their agreements some kind of flexibility and the technological advances are already there - providers should be regulated on testing on new services to ensure that customers get what they pay for rather than no service of new technologies [refer to the 3 networks' poor video-calling provision before all other networks adopted video-calling]

### **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?:**

Well functioning mobile markets should include:

Flexible pricing plans

Value-for-money

Varied choice

Adaptable pricing plans mid-contract

a straightforward provider switching procedure.

Compared to 3 years ago, price plans are actually becoming LESS flexible and value-for-money harder to achieve which is crucial during the 'credit crunch' period.

Obtaining a PAC in order to change providers but retain a number after a contract has

expired is a painful process in all but one case out of five - this desperately needs improving.

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

Asking do consumers feel like they are getting a good deal? Certain providers charge high fees for accessing your own personal voicemail box - should this be allowed? Access to NHS numbers is a local rate nationally on fixed-lines, should a similar process be adopted for the mobile consumer?

Looking at coverage over the country is essential - areas in Britain are true black-spots whereas in Italy for instance, measures are taken to ensure that coverage is consistent nearly anywhere in the country. Providers should not be allowed to develop new bands of operation if they do not have the most basic signal consistently covering the entire country.

**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?:**

Simple tariffs may not be available to those who simply want to call people on their phones and do not require/care for office-working on the move due to these technological advances.

Some of the smaller, fiduciary poorer networks may find that keeping up with the technology too expensive and may go out of business.

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

The experience with services has varied between providers - one has been very good, one satisfactory and others poor to very poor.

Consumers normally have to threaten to leave a provider to get the best deals and negotiate very hard with them.

With all but one provider, obtaining a PAC has been very troublesome and has required contacting them many times in order to get the job done.

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

Being able to create a bespoke tariff would be significantly advantageous - simply asking for the different things and getting it for a particular price.

Another thing that (that regulators should impose) is a set process for obtaining a PAC - obviously a provider wishes to utilise retention strategies to retain customers but the variation of service between providers is a cause for concern - one initiates the action in the first point of contact, others require persistence to get what you initially asked for - this needs to change and there should be a framework that providers should be targeted on to deliver this as the process is identical for ALL 5 providers.

**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?:**

The balance varies between providers, some strive to ensure that the consumer is treated fairly, others don't care much for the consumer and do nothing to conceal this - more regulation is needed to ensure that customers are happy with what they are offered, the service they receive and, more importantly the way in which the provider has treated them.

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

A large percentage of the population of the Country has a mobile telephone and they are being used increasingly during times when it is not possible to get to a fixed-phone - they have been used to report crimes on the street and have even helped people in the mountains and also at sea.

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

Quality of service is key to inclusion in the markets - new providers should be able to prove they can deliver the service required before they can actually go live and offer services and coverage to the public.

**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?:**

Before introducing new services, ensure the older ones have actually covered the whole country first - it is no use just broadcasting 3G signals to certain areas when there are entire black-spots in the country that don't even have GSM coverage. Privacy and Security can be protected by encouraging the consumer to turn off Bluetooth settings on their phones or even create Firewalls for the increasing numbers of smart-phones on the market. Child protection can be achieved by registering numbers to minors dynamically and banning certain content to their phones such as adverts and unsolicited media messages having access to the numbers of these minors - this would prevent huge bills being run up from the ringtone websites advertising on phones and also prevent any pornographic content for reaching their phones.

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

When coverage ceases in certain areas, it is a concern, especially when only one operator functions in one area - leaving the consumer with no choice of which provider to go with.

This can even happen in certain industrial/commercial sites and requires a second phone or SIM-card to allow access to the outside world.

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

The developments that manufacturers create for other markets in Europe or the US will drive the progress of the UK as we are so technologically slow - this does mean that there may well be errors and instabilities in the future because of inadequate testing procedures.

The access to the Internet from phones will become just as slow as 3G has now become, when 3G was initially available, it was very fast due to a very small amount of traffic.

**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?:**

Increased traffic on Mobile Internet will cause the service to slow down and eventually, grind to a halt.

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

No, the mobile markets advertise themselves frequently enough in the media - we are constantly bombarded from every angle be it magazines, buses, trains, the tube, billboards, radio or television, the providers do not need assistance in advertising the services they provide.

**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?:**

The regulatory framework should be presented to the providers and they should be given a deadline by which they should have adopted the rules of the infrastructure and trained them to their employees. (Heavy fines should then be issued for any deviation) At the moment, it is not necessary to regulate access to the provision of service due to economies of scale but if there were to be any new entrants to the market, stringent testing should be drawn-up for the new provider to undergo due to the significant financial and technological commitments required.

Contingency plans should also be devised and subsequently adopted in the event of a provider going Bankrupt.

**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?:**

WiFi areas should not be restricted to one network - they should be available to all networks.

Open access should be allowed but the users should be accountable due to the possibility of people misusing open access to acquire details of consumers or just create havoc by issuing viruses.

**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?:**

Competition would cause providers to review services and value for money but due to the sheer scale of the providers, it is unlikely that there will be any new entrants to the industry simply because of the strangle-hold the 5 current providers have on the Industry.

Regulation should fight for more competitive deals for the consumer, better quality of service and cheaper rates for roaming as well as transparent pricing structures - do we charge for minutes or seconds and should one second round up to an entire minute?

**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?:**

Creating agreements between the consumer (where an age-declaration is required) and the service-provider will ensure that the consumer is aware of the risks, rights and responsibilities they have. The false declaration of information at the time of the agreement will indemnify the service provider.

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

This area desperately needs reform - OFCOM should come up with a standardised framework and providers have to adopt it - deviations from timescales should be remedied by heavy fines to the provider to ensure the message gets through.

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

Rolling heavy fines should be levied against those who charge exorbitant roaming charges - Vodafone almost prints their own money through the roaming fees they charge.

If normal UK companies cannot do this, why can providers get away with this as this is classified as fraud?

**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?:**

Signal infrastructure should be massively improved to allow the network to keep up with this predicted demand.

**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?:**

An agreement should be reached - if not, heavy fines should be issued.

**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:**