

**Title:**

Mr

**Forename:**

Wayne

**Surname:**

Hardman

**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?:**

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

Directly - Usually via the wallet. The 'trickle down' by which time services become affordable, available and mass-market after introduction is very long compared to most other technology industries. Services such as Edge and 3G are very limited and GPRS is inadequate.

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

Mobile regulation should be first and foremost to prevent operators tying down consumers unfairly and to encourage both development and innovation in the mobile sector.

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

With VoIP becoming very common, hybrid mobiles should be encouraged - They use 802.11x at home (from a residential broadband gateway device) and traditional GSM in the field. This would require Ofcom permitting mobile companies to collaborate with Internet Service Providers. Costs would be greatly reduced as most mobile calls are made from residential properties.

**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?:**

As competition heats up and becomes healthy, companies start to compete more on "value added" features which are really more fluff than substance, such as mobile email, relying on the consumer being restricted from or being unaware that he can perform the same tasks without the operator's blessing (e.g. via GPRS/WAP)

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

Coverage and cost. In that order.

**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?:**

Greater integration will result. People want to be able to access their data, perhaps stored on a home PC, when they need it without having to remember to bring along physical media to contain it.

With enough bandwidth a mobile device can retrieve that data and work with it without it taking hours.

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

Services are badly fragmented. In the seven years I've been a mobile owner, not one company has offered a 'generalist' deal, allowing use of any mobile technology without hiding a punitive charge. Even today, mobile bandwidth charges are ridiculous - £15 per GB???

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

They should find out why the consumers are concerned, there may be an underlying technological reason. (e.g. GPRS is old and practically obsolete)

**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?:**

Handset locking is still very difficult to have reversed when a contract expires. It should be made automatic, that when the contract expires the handset is unlocked from that network. The consumer can then resell the handset, change networks, should he choose.

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

Information distance and responsiveness has never been better, but a whole new set of antisocial behaviour has emerged, voice calls on public transport, in restaurants, etc.

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

**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?:**

Parents should protect their children and have the knowledge to do so. Technological means of attempting this have failed time and again. Kids are so ingenious! It's not the gov'ts place to intrude on the parent's authority.

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

Neither Orange nor Vodafone can keep a reliable connection in my area, which restricted my choice of operator - Only O2 offers good coverage.

Networks are redundant and fragmented, they should be run by a single company who then operates and maintains them, but may not sell to end users. A "Railtrack" or "BT Wholesale" for mobiles, as it were. In this way the already crowded spectrum is being used most efficiently and coverage for any single user or group of is maximised.

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

Smart phones and phones which work with greater flexibility.

In the more distant future, the phone will take the function of almost all mobile devices bar the laptop - Pagers are already obsolete and personal music players (Walkman, iPod, etc.) are going that way, their function absorbed into the mobile handset. This may even include credit cards.

**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?:**

Not sure. Ofcom should promote co-operation among the mobile operators. Not being able to lock your own network yet having full signal from some other network and being 'emergency calls only' is utterly unacceptable in this day and age.

**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?:**

By shallowing the depth of infrastructure. One co-ordinated company can handle infrastructure, others can buy capacity from it. Smaller, more innovative companies would find it much easier to reach a national audience.

**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 utterly paramount of importance. Applying traffic shaping or throttling to content providers, creating a 'pay' and 'free' Internet is a move against the entire reason the Internet grew so rapidly and became so economically important. I believe mobile traffic will soon be routed via the consumer's home broadband, it's of great importance that net neutrality is maintained, the customer gets what he has paid for for ALL services, to give the greatest flexibility for his mobile devices.

**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?:**

Existing regulation seems sufficient, if based on restriction rather than encouragement.

**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?:**

Content should have no 'standards' and privacy is the consumer's responsibility and form trust relationships with companies and individuals freely - But privacy violations, including those unintentional, should be punished most severely.

Censorship and privacy are two competing opposites. Content standards must be no more than simple merchantability, unmisleading advertising, etc. Content performance is more important as far as regulators should be concerned.

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

Absolutely it will. It has to be completely abolished and the network infrastructure made into a more neutral ground - Like the Internet's backbones and routers. If it requires legislation to existing networks, so be it. If it requires a central control of infrastructure, so be it. One operator must not have more coverage than another and the operators shouldn't really be controlling the infrastructure - it's inefficient (why must the same area have multiple instances of the same infrastructure?) and rather like giving the inmates an asylum to run.

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

We already have a global communications network, the Internet. It's high time they started using it.

I think this is a question the European Commission should be asking. When I'm on T-Mobile France and connecting to a T-Mobile UK phone, is there a good reason I should be measuring my charge in pounds per minute?

**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?:**

No, they can't. If an area is economically unsound, it's a 'not spot' and nobody cares. This is endemic in the North, especially outside major cities.

The regulator must offer incentives for coverage and a centralisation of the network infrastructure. If one innovative company is taking off in some suburban or rural location, the others would take notice if it weren't so expensive to have to reinvent the wheel every time they want to expand coverage. Coverage is already there, it's just not theirs. That needs correcting.

**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?:**

Competition has historically marginalised niche markets. It'd take regulatory input.

**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:**