Title:

Mr

Forename:

Kim

Surname:

Hendrikse

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?:

The email address

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?:

Internet data services will become more important for the running of consumers and businesses lives

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

Mobile communications become more critical in competitive living in today's society

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

Making sure that consumers are not ripped off and to keep business operating honestly. Focus should be on eliminating both fraud and deliberate obscuring of the details of a delivered service.

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

The problem is that the current industry has not shown itself to operate in a fair way if it has a choice about anything.

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?:

Competition on a level playing field. i.e. it should be very clear as to what is offered. i.e. there should be full disclosure on things like artificial bandwidth limitations (Such as data download limited to 128kb/s, this is done by some provides but you can never find out before you buy).

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

Provide surveys from people who are in a position to know what they are talking about. i.e. survey technical people about service who may know the implications of the service

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?:

Remote control services to devices will start to appear. i.e. controlling your tv checking on the status of your home security by phone. All of these require a clear knowledge of instructure offered by providers. i.e. exactly what ports are being blocked by a provider a versus provider b. They should be required to disclose this information. I've too often seen providers sell "Internet service" only to find it is an undocumented subset of internet. The difference can be whether a particular use of "internet" will work or not. This is just false advertising to sell internet access and only sell a subset.

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

O2 for example artificially limits their edge based data communications to 128kb/s but no where will you see this mention on any contract that you sign. The difference between the performance of the same equipment can easily be a factor of 10x for the same money. A consumer should be able to be aware of this before signing up, if it's discovered that it wasn't listed before hand it should be grounds for premature contract termination.

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

By implementing common-sense disclosure policies.

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?:

Markets simply do not have to violate consumer rights to operate effectively. It's wrong to think otherwise.

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

With increasing economic pressure it can make the difference between those that have and have not.

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

Complete disclosure on the produce being offered. Much the same as what I'm saying above. A produce is not simply a mobile data connection but a mobile data connection with bandlimit limiting rules x with ports (And thus services) X denied, with an access contention ratio of y and a backbone utilisation of z.

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?:

Clearly privacy should be protected. I should not have to pay for sms's that I receive whilst overseas because mobile operator has sold my numbers to a third party. Protection of children should not come at the expensive of restrictions to adults.

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

Yes, this affects everyone, but in a well populated area this is less of an affect than artificial and undocumented restrictions that are complete hidden from the consumer. The best example is that of O2. They limit bandwidth of the old iphone to 128k/s but

all users will suffer because their bandbone carrying the traffic cannot cope with the demand. The figures about the performance of this is not published but will have as much impact as poor coverage. In the Netherlands with KPN their is no data package that a consumer can buy that will provide more than 128kb/s bandwidth even though 3g phones can provide upto 7mb/s bandwidth. At least it appears that they are requited to list this limitation in a prominent place on their website. This doesn't appear to be required in England.

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

Data connection to devices. For example a car automatically sending it's data log back to your spreadsheet at home so that you can declare this to the tax man easily for example. This market hasn't even begun. But all the technical infrastructure concerns that I voice above are important for it. Imaging that I invest as a company in such a product and clients buy it. Right now a telecom could block it making it useful without any notice or retribution for that action because you do not require to companies to list what exactly it is that they have bought. It's absurd really.

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?:

Telecomes should be required to list services that are provided in detail. Note that the very definition of an internet service comes from the ports that it uses. Telecoms offering internet service are offering nothing if they blocked all ports.
Force them to list all ports blocked and guarantee that this would not change without offering financial compensation or least the option of premature contract cancellation. Force them to list all artifical bandwidth limitations and disclose actual end to end performance.

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

Disclose will help that imensely right now operations are fooling people limiting choice.

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?:

It should be regulated. However if you started to get into "think of the children" type regulation to force censorship then *nothing* is worth that.

We don't ever want censorship!

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 very important.

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?:

Transparency should be forced.

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?:

Privacy should be protected but censorship should be avoided.

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

Not sure about what to advise here.

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

Roaming with data is still the biggest rip off at the moment. It's getting better but still rubbish. I recently used data roaming in france. They French telecom's infrastructure dhcp system provided a working ip address and ppp connection but phoney nameservers (10.11.12.13, clearly phoney, much like a 555- telephone number). So I would be charged for a roaming data connection that I could not actually use. I had to disconnect and reconnect several times to understand this.A non-technical person would not know this and would simply be charged 10 pounds for nothing.

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?:

Universal is not universal when censorship exists. Make sure you avoid censorship at all costs.

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 comment

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?:

No comment

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

Full disclosed of service details and restrictions right down to the technical level. Let the technical people read this and re-interpret it to what it means to the man in the street. Without know this information it's impossible to be able to describe what is offered and if the "interpretation" is left to companies they will always scam the public.

Additional comments: