

Question 1: When do you consider it would be timely and efficient for next generation access investment to take place in the UK?:

The time has already passed. Most providers are unable 'to provide' as their advertising suggests and are hiding behind 'acceptable use policies' and that expression 'up to' which should be banned from all advertising.

I believe that the customer is ready to support anyone who will provide them with the service that they believe they are paying for and would like that service to be defined and not implied.

Question 2: Do you agree with the principles outlined for regulating next generation access?:

It is likely that where new infrastructure has to be put in place it will be the property of a single organisation. Regulation will be required for this capacity to be made available to other providers at a 'reasonable' return to the original investor.

Again customers want 'genuine' competition. As a Virgin media customer I cannot use the same high speed infrastructure with a different provider and have to tolerate their changes to policy as they have no competition.

Question 3: How should Ofcom reflect risk in regulated access terms?:

Question 4: Do you agree with the need for both passive and active access remedies to promote competition?:

We need to ensure that the existing situation with providers dawdling over supply of migration codes is ended to allow customers to move supplier. No infrastructure should have the exclusive use of a single provider.

Question 5: Do you consider there to be a role of direct regulatory or public policy intervention to create artificial incentives for earlier investment in next generation access?:

By all means provide incentives where they remain in the customers interest. It is not the job of a regulatory body to assist commercial organisations to increase their profits.

Additional comments:

It is my belief that at present ISPs are not providing the service for which they are charging. Very few users are getting the service which they believed that they were signed up for and in many cases extravagant advertising of increased speeds has actually resulted in speeds falling. Virgin media already have a 20Mbps service but they cannot actually support it and have applied 'traffic management' to restrict these speeds at normal usage times. This will kick in if you try to download a single movie in MPEG-2 format as per DVD quality or a 40 minute HDTV episode of a TV series. To consider this usage as 'abuse' does not bode well for the next generation which would need to provide these services at these quality levels to succeed.

As far as wireless usage goes we need to be very careful of expanding use of this

limited resource. We need to be very sure that usage to provide mobile services does not escalate into more general provision for fixed services to save on the cost of infrastructure installation.