

**Name and title under which you would like this response to appear:**

Carl Thomas

**Representing:**

Self

**Organisation (if applicable):**

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

Investment should begin, initially in urban areas and greenfield builds, as soon as is practical. Possible as soon as findings from the Ebbsfleet trials are available.

I am aware that this may impair LLU operators, however there was always the risk in their investments that they would deploy these networks and these would then come into competition with NGA networks, and it's my opinion that if they appropriately differentiate their offerings they will both be able to make a return on their LLU investment and make an effective transition, should they choose, to an NGA offering.

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

Yes - it would be inappropriate to permit full market freedom to any developer \*unless\* they were to do a highly localised deployment of NGA network.

Any new deployment on a widespread basis should be considered for regulation regardless of who it is, however expectation of unbundling is inappropriate.

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

By not requiring an NGA to unbundle as is the case now. While a wholesale access solution is certainly appropriate, ideally both encompassing Datastream-like and IPstream like solutions in permitting interconnect on a national or local basis it would be inappropriate to expect any operator making this investment to unbundle this brand new loop.

This loop would both be built with private monies, and requiring unbundling would increase the cost of deployment of this solution.

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

No. This principle does not apply in Japan nor Korea which are both highly developed in this regard. A compulsory wholesale active solution is in my opinion far preferable to attempting to force an operator to subloop unbundle their NGA access network.

I am not aware of anywhere where subloop unbundling of FTTP has been attempted.

**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?:**

Yes - I believe that the requirement for passive access remedies should immediately be removed. Permitting an operator to operate a PON system, something that would not be possible or at very least very difficult if a requirement for a passive unbundling solution is present, would accelerate development.

**Additional comments:**

I am firmly in favour of the Japanese model, where operators can lease individual lines on an interconnect basis both by having a consumer pay a rental for the fibre network or by having the operator pay this cost and the customer paying the ISP with the operator interconnecting via a high speed data link to the operator.

This would permit extensive competition as this would present a fully operator agnostic solution, with all retail operators paying BT Wholesale (the most likely deployer of this technology) or whoever operates the network for use of the fibre network along the same lines as the Retail <> Wholesale <> Openreach model that is present now.