

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

Nomad's response

Representing:

Organisation

Organisation (if applicable):

Nomad Forum

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: Do you agree with Ofcom's proposed overall approach to improving the management of public sector spectrum holdings and, in particular, with Ofcom's conclusion that it will generally be preferable for public sector bodies to interact directly with the market?:

1. We refer to public sector spectrum holders, in particular the MOD, on the feasibility of the approach. We would support arrangements to facilitate a secondary market for trading and sharing, providing civil public services are not prevented from taking part.

Question 2: What factors do you consider Ofcom should take into account in determining the programme of reform in the framework for managing public sector spectrum holdings?:

2. First, the present assessment of future spectrum needs in the public sector in its entirety is fragmented and has not so far included transformational government even qualitatively. The programme of reform must thus take into account the risks of social

and public policy exclusion. Second the development of a healthy secondary market, through the use of instruments such as RSA, may depend on greater awareness of needs and benefits in both the public and the commercial sectors. The timeline for consultation and Ofcom's understandable aim to proceed with reform has not so far allowed for these important issues to be debated and understood. Third the impact assessment remains partial for as long as stakeholders who are not spectrum holders, but could benefit from reform, such as local government, are not included in the debate. At this stage, for example, it is unlikely that commercial operators would always be in a position to meet public services' spectrum needs (for broadband wireless) in geographical or economic areas of low potential returns.

Question 3: Do you consider that the proposals should be phased in?:

3. As non-spectrum holders we again refer to the existing public sector holders for an authoritative response. However we believe that one condition of success for reform is that phasing in should take into account the extent to which spectrum needs requirements are understood and quantified, evidently in matters of national security, defence and civil emergency, but also for the wider public sector. Premature release of spectrum from a position of total uncertainty would be of no benefit to citizens, industry and the public sector.

Question 4: Do you agree with Ofcom's proposals about the frequency bands that offer the greatest potential benefits from band sharing? Are there other frequency bands where the facility to trade or lease spectrum from public sector bodies would be particularly attractive?:

4. From the point of view of broadband wireless, a likely growth area for public sector secure communication, the 2.7-2.9 GHz would be critical. We fully appreciate that in the absence of a completed assessment of defence needs, undertaken by MoD's specialists, it would be folly to initiate a process of release. A key criterion for usability of spectrum for both the public and commercial sectors will be availability of standardised equipment for mobile applications.

Question 5: Do you agree with Ofcom's proposed approach to awarding public sector licences and RSA?:

5. Why not considering the grant of RSA, through transfer of rights and inter-agency trading, to non spectrum (public sector) holders? It may well be that the secondary market could be 'prime-pumped' by such trading. We wish to draw the attention of Ofcom to the fact that many civil public services applications likely to require access to spectrum are geographically limited in scope (limitations in geographical coverage would be perfectly workable).

Question 6: Should public sector spectrum trading be introduced at this stage in the Channel Islands and Isle of Man?:

6. We cannot comment.

Question 7: Should there be additional grounds, eg safety-related, for Ofcom to refuse consent to a proposed trade in certain frequency bands or for certain applications?:

7. The trading instruments and regulations should ensure that vital citizens? and public interests are upheld and safeguarded. This may well extend beyond public safety, for example to ensure child protection agencies have access to needed spectrum for field work, in priority to, say, commercial advertising. We believe subject to impact assessment that trading will generally be in the public interest.

Comments:

8. Comment on impact assessment (annex 5): the point raised at A5.7 on the time necessary for a mature market to develop is essential. We suggest that further work is needed, either under the remit of the UKSSC or another official body, to make a full assessment of spectrum trading opportunities and benefits in the public sector.