

Title:

Mr

Forename:

Matthew

Surname:

Gingell

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

Business Development Director

Representing:

Organisation

Organisation (if applicable):

MLL Telecom

Email:

m.gingell@mlltelecom.com

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 these proposals for the awards of the three bands or have any other comments on the contents of this document?:

MLL Telecom does not own a general radio spectrum licence but is one of the leading companies in the UK to provide wireless point-to-point and point-to-multipoint telecommunications connectivity using wireless technologies in the licensed and "light"-licensed spectrum to other telecommunications operators and to public and private sector organisations.

As such we support Ofcom's stated objectives in the spectrum release programme. We have great interest in the commercial ramifications and opportunities provided by new spectrum - particularly in relation to assisting new entrants to establish wireless networks in the UK, or existing providers to expand their coverage and portfolio.

MLL Telecom believes that Ofcom's proposals for the awards of the three bands are as likely to be as good or better than any if the goal is to maximise the prices paid for the licences.

More generally however, we are concerned about the reliance on licence trading in the secondary market to deliver efficient spectrum use, incentivise new entrants or encourage innovative products to the market.

We therefore believe that Ofcom should:

- a) provide research data which illustrates the anticipated market dynamics post-auction; and
- b) consider introducing certain restrictions (use-it-or-lose-it) or additional selection criteria to ensure the UK ends up with the vibrant wireless communication industry it needs.

Question 2: Do you agree with the analysis in section 5 or have any comments on adjacent interference issues?:

No comment

Question 3: Do you agree that Ofcom should authorise use of the spectrum bands 2500-2690 MHz, 2010-2025 MHz and 2290-2300 MHz?:

Yes

Question 4: Do you agree that awarding licences by auction would be the appropriate mechanism for authorising use of the spectrum bands 2500-2690 MHz, 2010-2025 MHz and 2290-2300 MHz?:

Yes

Question 5: Do you agree that it is likely to be in the interests of citizens and consumers to proceed with the award of the 2.6 GHz and 2010 MHz bands as soon as practicable, rather than to delay the award pending reduction in uncertainty relating to other bands?:

Yes

Question 6: Do you agree Ofcom should aim to award the bands 2500-2690 MHz, 2010-2025 MHz and 2290-2302 MHz by the end of 2007, while keeping the position on the 2.6 GHz and 2010 MHz bands under review in the light of possible developments in

European regulatory fora?:

Yes

Question 7: Do you agree with Ofcom's proposals for licence conditions (technology neutrality, tradability, conditions of tenure and absence of roll-out obligations)?:

Not entirely.

MLL Telecom owns and operates its own wireless networks in the UK but also provides a range of support services to other providers of wireless-based services. As such it is perhaps representative of similar organisations which may choose not to participate in the initial auction but have a common interest in:

- i) enabling a dynamic and varied landscape of operators in the UK (including existing operators expanding their service portfolio or new entrants to the market) in order that we can continue to provide the relevant implementation and support services; and
- ii) potentially participate in secondary trading of licences ? perhaps on a regional basis ? to offer targeted service.

We understand the difficulties and potential risks involved with imposing restrictions on the licence conditions ? these are set out in the consultation document. However, we do not believe that sufficient evidence has been presented to show that post-auction spectrum trading will deliver the stated objective for efficient spectrum use, or that the proposed measures will be sufficient to discourage spectrum hoarding.

We therefore recommend that Ofcom publish a more detailed impact assessment regarding the various conditions which could be applied to license use and scenario planning / market research relating to anticipated post-auction spectrum trading.

Question 8: Do you have views on whether or not there should be a ?safeguard? cap on the amount of spectrum that any one bidder could win in an award for the 2.6 GHz bands and, if so, do you have a view on whether 90 MHz would be an appropriate size for a safeguard cap?:

MLL believes that there should be a safeguard cap in order to increase the likelihood of a diversity of award winners.

In line with our response to Q7 above, we believe Ofcom could examine the potential for certain licence restrictions which are dependent (in part at least) upon the amount of spectrum won by an individual bidder.

Question 9: Do you agree with Ofcom's proposal to package spectrum as lots of 2 x 5 MHz for paired use and 5 MHz lots for unpaired spectrum and to allow the aggregation of lots by bidders? :

Yes

Question 10: Do you agree with Ofcom's proposed approach to allowing the respective amounts of paired to unpaired spectrum for the band 2500-2690 MHz to be varied

(maintaining the 120 MHz duplex spacing and allowing additional unpaired spectrum, if needed, at the top end of the band)? :

Yes

Question 11: Do you agree with Ofcom's proposals for a 5 MHz restricted block between FDD and TDD neighbours and between TDD and TDD neighbours and with a modified out-of-band base station mask for second adjacent 5 MHz blocks? :

No comment

Question 12: Do you agree with Ofcom's proposals to award the 2010 MHz band as a single 15 MHz lot?:

Yes

Question 13: Do you agree with Ofcom's proposals to award the 2290 MHz band as a single 10 MHz lot?:

Yes

Question 14: Do you agree with Ofcom's proposals to combine the award of the 2.6 GHz and 2010 MHz bands and to hold the award of the 2290 MHz band separately and in advance?:

Yes

Question 15: Do you agree with Ofcom's proposals for a two-stage auction design for the 2.6 GHz and 2010 MHz bands?:

No comment

Question 16: Do you agree with Ofcom proposals to award the 2290 MHz band through a second price sealed bid auction?:

No comment

Question 17: Do you have a preference for either of the two approaches to specifying technical licence conditions? :

No comment

Question 18: Do you have any comments on the transmitter spectrum masks defined below? :

No comment

Question 19: Do you have any comments on the SUR parameters defined below? :

No comment

Question 20: Do you have any comments on the SUR methodology and assumptions detailed in this annex? :

No comment

Question 21: Do you have any comments on the use of the Visualyse tool as described, on the assumptions or the propagation model proposed in this annex? :

No comment

Question 22: Do you have any comments on the assumptions detailed in this annex?:

No comment

Comments:

[Per answer to Q1]

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