

Question 1: What are your views on Ofcom's proposed three-year strategic policy framework?:

Kingston welcomes Ofcom's three year strategic policy framework, however we would urge Ofcom not to lose sight of developing competition within the existing markets and to ensure previous regulatory strategies are implemented in accordance with the spirit in which they were conceived.

It is likely that convergence will occur naturally across current market boundaries, and Ofcom can help facilitate this by a proactive approach to identifying potential bottlenecks and resolving issues before they have had a chance to damage the market.

Question 2: What are your views on Ofcom's proposed priorities for 2007/8? In particular::

Whilst Kingston applauds Ofcom's Consumer focus, we would urge that a balance is maintained with competition issues in order to encourage further sustainable competition.

Question 2a: What are your views on the work which Ofcom should do in 2007/8 to drive a market-based approach to spectrum?:

Ofcom needs to ensure that the Spectrum that is to be made available is suitable for the services that are currently being developed.

Question 2b: What are your views on the work which Ofcom should do in 2007/8 to develop new ways to deliver public outcomes as platforms and services converge? :

Kingston suggests that Ofcom first establish what the key Public Outcomes that would benefit the UK as a whole actually are. Ofcom should consider carefully the differences between what may be suggested as wanted, and what in actual fact is needed before undertaking any piece of work to implement solutions.

Question 2c: What are your views on the work which Ofcom should do in 2007/8 to improve business compliance and empower consumers? :

Kingston strongly urges Ofcom to proactively monitor compliance, rather than reacting if a breach is brought to their attention. In many cases, the resolution of a breach damages the market in which it has occurred whereas if the breach had been addressed when it was impending no damage would occur. Kingston is aware that Ofcom often has prior knowledge of potential breaches, and encourages Ofcom to act before the fact rather than after.

Question 2d: What are your views on the work which Ofcom should do in 2007/8 to promote competition and innovation in converging markets?:

Kingston encourages Ofcom's objective of ensuring that BT implements its undertakings, however Kingston is concerned that if the undertakings are just implemented 'to the letter' then equivalence of input will result in an equally bad service being available to all. This outcome will not benefit competition as equally bad service only favours the incumbent - i.e. BT. Kingston therefore suggests that Ofcom review the undertakings and require a good quality of service. This is an issue that has been discussed with UKCTA, and we believe that attempts are being made to improve the situation through finding mechanisms to provide incentives for Openreach to improve its service. Kingston believes that this is vital to ensure that the TSR outcome delivers real benefits to all customers.

Question 3: Are there additional areas where Ofcom should reduce regulation and minimise administrative burdens? Please provide specific examples.:

Kingston suggests that Ofcom considers carefully what consumers say they want, what they actually need and what they in fact use in their decisions in regard to communications services.

Comments: