

## Mr D. Kemp

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| <b>Title:</b>  | Mr                                     |
| <b>Forename:</b>   | David                                  |
| <b>Surname:</b>  | Kemp                                   |
| <b>Name and title under which you would like this response to appear:</b>        | Mr D. Kemp                             |
| <b>Representing:</b>   | Self                                   |
| <b>Organisation (if applicable):</b>   |  |
| <b>Email:</b>  | <i>[Removed]</i>                       |
| <b>What do you want Ofcom to keep confidential?:</b>                             | Keep nothing confidential              |
| <b>If you want part of your response kept confidential, which parts?:</b>        |  |
| <b>Ofcom may publish a response summary:</b>                                     | Yes                                    |
| <b>I confirm that I have read the declaration:</b>                               | Yes                                    |
| <b>Ofcom should only publish this response after the consultation has ended:</b> | You may publish my response on receipt |

**Question 1: Do respondents consider that the regulatory remedies put in place in the 2003/04 market review were effective in counterbalancing BT's and Kingston's SMP in the relevant markets?**

Not really effective and should be given further review of the whole structure.

**Question 2: do respondents agree with Ofcom's definition of the retail asymmetric broadband internet access market in the UK?:**

Only to a small degree.

**Question 3: Do respondents agree with Ofcom's definition of the wholesale broadband access product market?:**

Not really agree.

**Question 4: Do respondents agree that the Hull area should be defined as a separate geographic market on the basis of the presence of common pricing constraints?:**

Definitely not, Hull should not be defined separately.

**Question 5: Do respondents agree with Ofcom's methodology for assessing geographic variations in the competitive conditions in the wholesale broadband access product market?:**

No, there is a definite imbalance

**Question 6: Do respondents agree with Ofcom's analytical framework for defining geographic markets in the UK (excluding the Hull area) and the conclusions reached?:**

No, Hull should not be excluded.

**Question 7: Do respondents agree that Ofcom has used relevant criteria for assessing SMP in the markets defined?:**

Definately do not agree.

**Question 8: Do respondents agree with the approach set-out by Ofcom for its market power assessment in the Hull area and its conclusion of finding Kingston to have SMP?:**

No, do not agree.

**Question 9: Do respondents agree with the approach set-out by Ofcom for its market power assessment in Market 1 and its conclusion of finding BT to have SMP?:**

yes agree

**Question 10: Do respondents agree with the approach set-out by Ofcom for its market power assessment in Market 2 and its conclusion of finding BT to have SMP?:**

yes agree

**Question 11: Do respondents agree with the approach set-out by Ofcom for its market power assessment in Market 3?:**

yes agree

**Question 12: Do respondents agree with Ofcom's proposed regulatory remedies on Kingston in relation to the market for wholesale broadband access in the Hull area?:**

Agree

**Question 13: Do respondents agree with Ofcom's proposed regulatory remedies on BT in relation to the market for wholesale broadband access in Market 1 and if so are there any particular implementation or compliance issues that you believe needs to be considered?:**

agree

**Question 14: Do respondents agree with Ofcom's proposed regulatory remedies on BT in relation to the market for wholesale broadband access in Market 2 and if so are there any particular implementation or compliance issues that you believe needs to be considered?:**

agree

**Question 15: Do respondents agree that the alternative broadband technologies referred to in this annex are unlikely to be sufficiently widespread or utilised within the period of this review to constrain prices in the market for wholesale broadband access services?:**

no disagree

**Additional comments:**

I hope the monopoly that Kingston have over the Broadband market in the Hull area will cease and more alternatives will be available.