

## Michael

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<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?**

No, for BT it was probably fine because the market scale allows competitors into the market. For Kingston however, its an unfair market due to the size. Its not possible for competitors to enter the market in the Kingston area because the number of users is small. This is why its my opinion that in the Hull and local area Kingston have more than SMP, they have almost a monopoly, as can be seen by the fact there is no other fixed line broadband operator in the Kingston local area. This leaves the Kingston area as a desert for competition and gives consumers NO choice whatsoever compared to the traditional BT areas. There needs to be some policy in place to allow competitors a level playing field in the Kingston area.

Kingstons broadband service is ALWAYS charged at higher rates than the national average. This is indeed SMP.

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

Yes

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

Yes

**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?:**

Yes indeed, Hull and the surrounding Kingston only exchanges needs a seperate policy to allow real competition and stop Kingston Communications being able to charge cosumers whatever "it" feels is justified, not what the national market would dictate.

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

Yes

**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?:**

Yes

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

Yes

**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?:**

Yes

**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

**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

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

Yes

**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?:**

Hopefully, as the 2003/2004 mesaures have brought zero change to the local Kingston area.

**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?:**

Yes

**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?:**

Yes

**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?:**

Yes

**Additional comments:**