

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?

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

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

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?:

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

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?:

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

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?:

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?:

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?:

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

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?:

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?:

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?:

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?:

Additional comments:

The telecoms market is changing rapidly and the broadband market is still developing. Ofcom should continue to review and amend its approach to reflect the pace of these changes.

The Welsh Assembly Government largely agrees with Ofcom's approach to regulation as described in the Review of Wholesale Broadband Access 2006/7. The Market in Wales is mostly Market type 1 as defined in the document i.e. in most of the exchanges BT is the only operator. The existing regulatory framework has not yet been effective in encouraging the take up of LLU in most areas of Wales. We await, with interest, OFCOM's view on the market types that exist in Wales. We would like to know if this information would be available in map format and if it is would Ofcom be willing to share it with us.

In relation to Markets 1 and 2 we agree that Option 2 (access and non-discrimination obligations) is likely to deliver the best longer-term outcome for citizens and consumers. This option would be more likely to promote competition in the provision of downstream broadband access services whilst allowing the market to be more responsive to consumer demands for product innovation. We agree that it is desirable that Ofcom has the ability to monitor the profitability of BT's wholesale broadband access services and that any future decisions that Ofcom makes in relation to the need for price controls in this market is based on evidence.