

COVER SHEET FOR RESPONSE TO AN OFCOM CONSULTATION

BASIC DETAILS

Consultation title: Mobile Communications onboard Aircraft

To (Ofcom contact): Richard Young

Name of respondent: Azam Mamujee

Representing (self or organisation/s): Advisory Committee for England (ACE) comprising:

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Name: Azam Mamujee

Advisory Committee for England (ACE)
Ofcom
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9 November 2007

Dear Richard

**Mobile Communications onboard Aircraft (MCA)
Consultation on the introduction of mobile services on aircraft**

Further to the above consultation, please find below the following points expressed by the **Advisory Committee for England (ACE)** during their meeting on 30 October 2007 in Manchester.

Consumer and Citizen Interest

The committee felt that information on pricing, with sufficient clarity, should be made available to consumers prior to potential use of MCA services. This transparency of pricing will let the market work efficiently and mean that unknown high tariff charging is less likely to take place.

As a committee we would like to hear of the ways that Ofcom will ensure that this pricing information is made available to consumers.

Emergence of Internet access / capability onboard aircraft

Whilst we note that the consultation is focused on GSM and 1800MHz capability, we note that the impact assessment in Annex 4 does not seem to anticipate the effect of the proposed internet services / access onboard aircraft. This will allow the potential for Voice Over Internet Protocol (VOIP) telephony onboard aircraft which would have an effect on potential telephone pricing, usage and demand.

The committee would like to hear of the impact on Ofcom's proposals given this development.

Behavioural aspects of MCA services

Whilst recognising Ofcom's duties are limited to the radio spectrum, we feel that Ofcom should be duty bound to ensure the authorisation of this service, where unwelcome behavioural, safety of life and security are at issue, is done in close collaboration with the Civil Aviation Authority (CAA). Strong views were expressed by some of the committee members on the potential unwelcome behavioural aspects.

If Ofcom were to publicly announce the authorisation of such MCA services, and at the same time or later if the CAA was to reach a different view, it would cause confusion among the public, and could also lead to unauthorised use of mobile handsets onboard aircrafts.

Below is a list of the 7 questions that were posed in the consultation document with ACE's response.

1. Do you have any comment in relation to the authorisation of MCA systems on the basis of a common European approach?

A common European approach seems sensible. Nevertheless, such decisions on authorisation should be made in consultation or partnership with other organisations (such as CAA) with responsibility for safety and security.

2. Do you agree that the ECC Decision and associated technical requirements and limits will adequately protect terrestrial networks?

The committee has not considered the technical requirements to protect terrestrial networks in its deliberations.

3. Do you agree that the initial authorisation regime of equipment for MCA should be via licensing rather than licence-exemption?

The committee agrees that the initial authorization should be via licensing and variation to the existing aircraft WT Act licence and should attract no additional fee.

4. Do you agree that the aircraft operator should be the licensee of the radio equipment used for MCA?

This approach seems sensible.

5. Do you agree that the authorisation of radio equipment for MCA in the 1800 MHz spectrum band should be granted via an NoV to the existing aircraft licence?

This approach seems sensible.

6. Do you agree that under the current licensing framework no additional fee should be payable for MCA spectrum authorisation?

This seems to be a sensible approach given, as the consultation document suggests, this is a niche segment.

7. In your opinion do you think that MCA services would fall within the scope of the EC Regulation on roaming? Please explain why you think that MCA services would or would not fall within the scope of this regulation.

MCA services should fall in scope of the EC Regulation on roaming. We hope that the inclusion of MCA within EC Regulation on roaming could provide the necessary consumer protection, amongst other things, in relation to tariff.

If you have any further questions or need for clarification please do not hesitate to get in contact with myself or the Chair of the Committee.

Yours sincerely

Azam Mamujee
For and on behalf of the Advisory Committee for England