

## Communications Consumer Panel and ACOD's response to Ofcom's consultation on Award of the 700 MHz and 3.6-3.8 GHz spectrum bands - Revised proposals on auction design

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The Communications Consumer Panel, established by the Communications Act 2003, is a group of independent experts with direct sectoral experience. We ensure the citizen and consumer voice is represented in communications policy development.

The Panel's job is to ensure that the sector works for consumers, citizens and micro businesses - and in particular people who may be in a more vulnerable position in society. We carry out research, provide advice and encourage Ofcom, governments, the EU, industry and others to look at issues through the eyes of consumers, citizens and micro businesses.

The Panel pays particular attention to the needs of older people and people with disabilities, the needs of people in rural areas and people on low incomes, and the needs of micro businesses, which have many of the same problems as individual consumers.

Four members of the Panel also represent the interests of consumers in England, Northern Ireland, Scotland and Wales respectively. They liaise with the key stakeholders in the Nations to understand the perspectives of consumers in all parts of the UK and input these perspectives to the Panel's consideration of issues. Following the alignment of ACOD (the Advisory Committee for Older and Disabled people) with the Panel, the Panel is more alert than ever to the interests of older and disabled consumers and citizens.

### Response

The Panel welcomes the potential for increased mobile coverage that is being promised by the Shared Rural Network (SRN) and we recognise that the suggested level of coverage is intended to exceed the level of coverage under the previously proposed auction design by Ofcom. We have regularly raised with both Government and Ofcom the benefits of national/domestic roaming to provide mobile coverage for all consumers with maximum economic efficiency in all parts of the UK, regardless of the number of providers owning infrastructure in a particular area. On the basis of the arguments set out in the consultation document, we understand the rationale of Ofcom's proposed changes to the design of the auction. Rather than coverage obligations being imposed via the auction, Ofcom has taken the view that the need for these will be obviated by the successful and complete deployment of the SRN.

However, we are concerned about the risks to consumers and citizens if winning operators fail to provide the level of mobile coverage promised under the SRN. We note that under the terms agreed in principle between the mobile network operators and the Government, licence obligations in relation to required coverage would take effect from 2026, with interim annual coverage updates until 2025. We believe it is important that this safety net is not entirely ex-post, otherwise consumers and micro-businesses risk having vital mobile coverage put back by yet another 5 to 10 years. Ofcom should utilise the auction to offer a

safeguard to consumers and citizens (potentially by mandating some form of national roaming between SRN participants if annual progress is inadequate) to protect them from the risk that the deployed SRN agreement fails to provide the promised level of coverage once complete, and it is vital that regular coverage progress checkpoints are built in during rollout.

We believe it is the role of the regulator to provide a safety net for consumers, citizens and micro businesses, by setting in place an obligation for winning providers to supply the level of coverage providers have undertaken to provide under the SRN.