

Dear Sir / Madam,

I would like to submit the following comments on behalf of Cornwall Council. The council are currently in the process of selecting a private sector investor to build, own and operate a NGA network in Cornwall and have been in discussion with DGComp in order to notify the project in relation to State aid.

Para (48). Our concern with this approach is that the quality of the overall solution could be constrained for the following reasons:

1. Some technologies could provide a significant uplift in remote areas, but final speeds may not fall within the defined guidelines.
2. It infringes the principle of technology neutrality.
3. Overall this could limit geographic coverage and significantly increase costs.
4. In (i) the use of both the words 'prospects' and 'minimum' appear to be contradictory.

(74) 3rd bullet. It is unclear whether a Fibre-to-the-Premise solution would need to be specifically a point-to-point multi fibre solution, or whether other unbundable architectures would be acceptable. Specifically mandating a point-to-point multi fibre architecture is likely to:

1. Significantly increase costs. The recent Broadband Stakeholder Group report 'The costs of deploying fibre-based next-generation broadband infrastructure' models a cost premium of 17.5% for a point-to-point architecture over a GPON architecture.
2. Infringes the principle of technology neutrality. Providers that have taken certain strategic and commercial decisions could be unable to offer these architectures.
3. Be more prescriptive than Ofcom's March 2009 statement 'Delivering super-fast broadband in the UK'. This states that the key to widespread investment and competition is to provide wholesale electronic products (active access), whilst retaining the option of developing services based on passive products. Ofcom also want to minimise unnecessary inefficiencies in network design as a result of regulatory policies.

Best wishes,

Julian

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