

From: Colin Fallaize [mailto:colin.fallaize@cwgsy.net]
Sent: 31 August 2007 08:15
To: Director.General
Cc: [REDACTED FOR COMPLIANCE WITH DATA PROTECTION LAW]
Subject: Telecommunication Licences

Dear Mr Curran

I write in my capacity as chairman of the group NOMM (No More Masts)

I was please to read in the Guernsey Press that you propose to amend the Licences of the three telecommunication companies in order that they share masts, on behalf of both NOMM and the people of Guernsey I would like to thank you for taking this course of action.

However I should like you to answer a number of what we consider to be important questions.

In the Audit conducted in 2004 (Audit of Emissions from Radio Masts in Guernsey, Document No. our 05/05R) conducted by Cellular Design Services("CDS") section 6. Recommendations and Findings refers "The auditors recommend that the O.U.R keep an up-to-date record of operational sites on the Islands of Guernsey, Alderney and Sark to assist in ensuring on-going compliance. The OUR will implement this recommendation and will be writing to all operators requesting appropriate information".

However you will recall, when I asked you if you could furnish me with an up to date list of the new mast sites erected since 2004, you informed me you did not have that information. I am very surprised you did not comply with this very important recommendation made by C.D.S. after they conducted the 2004 Audit, **despite the fact that you agreed to comply with the recommendation.** Furthermore not only did you not comply with the recommendation but you obviously felt it was of such little significance that you did not even pass this task on to any other department to compile.

1) Please may we have an explanation as to why this very important task was not undertaken.

Why in the same audit under section 7. Conclusions and Next Steps did the O.U.R state in paragraph 4, "As mentioned in the introduction, the future audit of any additional masts not covered by this report is a matter that has been raised with the OUR. It is not envisaged that the scale of audit undertaken on this occasion will be done each year **as the number of additional masts is not expected to be substantial**".

What number of additional masts would you consider to be substantial?
How do you know if the number of additional masts is substantial or not, as you have failed to keep any record of additional masts since the audit of 2004?

2) Please can you inform us what the number of additional masts would have to be in order for you to instigate an audit, on the scale of the one conducted in 2004?

You have recently posted two documents on your website, these documents deal with proposals in relation to mast sharing.

Document No OUR 07/10 "**Amendment to Guernsey Airtel Ltd's 2G and 3G Mobile Licences**". This document deals with your proposal to modify the license conditions in order to encourage the sharing of mast as an alternative to new masts.

As you have been informed by Airtel that they will not be able to meet the % network coverage required by 15th September 2007 (the original date laid down in the licence).

3) Please can you inform us what penalties were in place on the original licence award for failing to meet the required levels?

4) Please can you inform us should Airtel fail to meet the % network coverage by the new date, 15th December 2007, what penalties are in place?

In the section "**Reason for Modifications**"

5) Please clarify what is meant by "masts in locations close to existing masts" and in the same section, please clarify what is meant by "not significantly higher than the existing masts on the nearby site"

I should like to place on record our feelings regarding the sharing of masts.

We feel that the wording in the documents are open to wide interpretation. They are merely recommendations and not instructions and as far as we can see, are saying to Airtel, if you want to have a 15 metre mast, find the closest one (belonging to one of the other operators) to the site you have applied for and ask the other operator if you can knock their current 10 metre mast down and rebuild a 15 metre mast in order that they can all share.

WE DO NOT CONSIDER KNOCKING DOWN A 10 METRE MAST AND REPLACING IT WITH A 15 METRE MAST ON THE SAME SITE, AS MAST SHARING.
WE CONSIDER THAT TO BE A REBUILD AND WOULD RESIST ANY REBUILD OF THIS TYPE.

In addition we are very disappointed that you have not taken this opportunity to remind the telecommunication companies when considering the sites that are suitable to be shared, they pay careful consideration to the Stewart Report commissioned by the U.K. Government in 2000, in which it recommended caution when placing masts near residential areas and schools.

Please consider all of the above questions, we respectfully wish to receive full and detailed answers A.S.A.P.

Yours sincerely

Colin Fallaize
Chairman of NOMM