Jersey Competition Regulatory Authority

Consultation Document 2005-4

Consultation on the Operation of the TETRA System in Jersey

13 December 2005

Introduction

The Terrestrial Trunked Radio (TETRA) system is a technology that has been deployed in several jurisdictions for the provision of mobile wireless communications to the emergency services, that is, the Police, Ambulance and Fire Brigade ('blue-light' services), as well as, in some cases, other services that provide emergency cover under certain circumstances. Some jurisdictions have mandated the use of this technology for the emergency services and certain other governmental functions because of technical and other advantages of operating such services on a distinct network.

In Jersey the TETRA system is operated on behalf of the TETRA User Group under the telecommunications licence of Jersey Airport. Jersey Airport is a States operated trading entity that is under the control of the Harbours and Airport Committee. The Airport's primary business is concerned with the operation of air transport and a part of that includes the provision of certain telecommunications services. These services are operated under umbrella of the Jersey Airport licence through an entity that is called Communications Services.

The TETRA User Group

Currently, the TETRA User Group in Jersey consists of the following members:

TETRA SYSTEM STAKEHOLDERS:

> **States of Jersey Home Affairs Committee**
> > States of Jersey Police;
> > States of Jersey Fire Service;

> **The States of Jersey Harbours and Airport Committee**
> > Department of Electronics;

> **States of Jersey Health and Social Services Committee:**
> > States of Jersey Ambulance Service (including St John's Ambulance Service);

TETRA SYSTEM USERS:

> Those Defined as Stakeholders;

> **States of Jersey Home Affairs Committee:**
> > Customs and Excise;

> **States of Jersey Harbours and Airport Committee:**
> > Jersey Airport:
> > > Rescue and Fire Service;
> > Jersey Harbours:
> > > Beachguard Service;

Sea Rescue (States Vessel and RNLI);

States of Jersey Environment and Public Services Committee:
Parking Control.

The TETRA Stakeholders are defined as those Persons or Legal Entities who have a financial stake in the ownership or purchase of the TETRA Radio System, including, but not limited to all base stations, transmitter masts and other communications equipment comprising the system including the management system and software.

The TETRA System Users are defined as those Persons or Legal Entities who use the communication services provided TETRA Digitally Trunked Radio System and who make a contribution to the financial cost of running that system.

As can be seen from the above, the current members are all States operated services (with the exception of the St John Ambulance Service and RNLI which are registered charities).

The Class II telecommunications licence issued to Jersey Airport by the JCRA includes Licence Condition 2.1, which requires the JCRA to authorize any additions to the user group as defined above.

Purpose of this Consultation

This consultation has been issued as a consequence of a request by the User Group to admit Jersey Electricity (JE) as a TETRA System User. The request for inclusion of JE is based on the recent decision by Ofcom to permit the Emergency Response Groups (ERGs) of the major UK electricity distribution companies to be included in the UK TETRA system user group.

The purpose of this consultation is to determine stakeholders view as to who should or should not be members of the TETRA User Group. This consultation will ask stakeholders whether there are legitimate reasons to include users who are not "blue light" members, i.e. members of States operated emergency services or other emergency services that work on behalf of the States, that is, St John Ambulance and the RNLI.

In the UK, there are a number of 'non-blue-light' services included in the UK TETRA User Group[1]. These users are sometimes commercial companies that have special responsibilities, for example, the water companies have an important role in the control of rivers and flooding.

During the licensing process of Jersey Airport, the JCRA received representations as on the potential for Jersey Airport, as a States department, to enter into the commercial telecommunications market. The JCRA, having fully considered this

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[1]

http://www.ofcom.org.uk/radiocomms/ifi/licensing/classes/business_radio/emergency/generic_org/#content

issue, added certain conditions to the Class II licence awarded to Jersey Airport[2] designed to ensure that the list of TETRA System Users could not be extended without the JCRA's consent.

In the UK, the TETRA system is operated as a public service under specified conditions by a commercial telecommunications operator, the mmO2 subsidiary Airwave, on behalf of the UK TETRA User Group. Funding of the service is through subscriptions from the users, which are mainly public service bodies that are supported out of the public purse. The situation is similar in Jersey, where the user group, defined above, provides a *pro rata* contribution towards the support of the service. Again, the majority of this funding is derived from the public purse.

The JCRA is aware that in the UK Ofcom (and formerly the DTI) have allowed certain utility companies into the TETRA User Group. These companies include not only companies in the electricity distribution sector but also the water and sewerage companies. Their usage of the TETRA system is subject to certain conditions relating to definable emergencies. In November 2004[3], the DTI consulted on whether the ERG should be admitted to the user group. In the spring of this year Ofcom permitted its addition after applying specific conditions on terms of use.

The major reason that the TETRA network is considered to be suitable for emergency services is that there is no conflict in communications traffic between members and ordinary users that could otherwise occur on a public mobile network such as GSM. In times of extraordinary events, it is common for GSM networks to become overloaded as many simultaneous calls are attempted to the emergency numbers 112 and 999. In the UK, in times of particular emergency conditions, such as the London bombings in July 2005, mobile operators are able to prioritize traffic that originates from designated handsets such that this effect is considerably mitigated. At present, although the Jersey Telecom GSM network is configured for this facility, its implementation has not been requested by the Jersey authorities.

Since the installation of the TETRA system in Jersey, such a situation has occurred only once. That was in March 2004 when a bomb hoax in Liberation Square caused a temporary disruption to the GSM network.

The main argument proposed for the inclusion of the JE in the TETRA User Group is the interest of public safety. Clearly, public safety is of a prime concern; however, if this is to be a reason for including JE, then this principle should perhaps be applied to other utility companies. These could include Jersey Gas and Jersey Water, both of which have a responsibility for ensuring public safety. The same argument could also be applied to the petroleum and oil distribution sector. One of the disadvantages is that by admitting commercial companies into the TETRA User Group there is a potential for revenue losses by commercial mobile telephony operators.

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[2] http://www.jcra.je/pdf/041101 Class II Airport Licence.pdf
[3] http://www.ofcom.org.uk/consult/condocs/airwave/airs/airwavs/

Survey of Stakeholders

The JCRA now intends to ask stakeholders how the TETRA system in Jersey should be developed as a communications channel for emergency response through the following questions:

Q1. Do stakeholders believe that the TETRA system is likely to be considered to be operating in competition with commercial mobile telecommunications operators in Jersey?

Q2. Do stakeholders believe that it is necessary in the Jersey environment for JE, as a non-blue-light emergency service, to have access to the TETRA system?

Q3. If stakeholders agree that JE should be admitted to the TETRA User Group, should that also include other private enterprises with a responsibility for ensuring public safety?

Q4. If other private sector companies are admitted to the TETRA User Group, should the use of the TETRA network be subject to conditions related to use during emergencies only?

Q5. Should an alternative solution be adopted, such as the configuration of GSM systems to apply preferential terms of service to designated handsets?

Consultation Period

Written comments on this Consultation Paper are invited, to be received no later than **5PM on 18 January 2006.** Submissions should be clearly marked "Comments on the Operation of the TETRA System in Jersey" and may be supplied either in hard copy or electronically, addressed (as appropriate) to:

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N.B. The JCRA reserves the right to publish on its website any submissions to this or other consultations. Any commercially sensitive information that a stakeholder may wish to submit as part of a response should therefore be clearly marked as such.