

Reference: 1-159585890

3 November 2010

By email

Eleanor Berg
Information Requests

John Petters
tjpost@traditional-jazz.com

information.requests@ofcom.org.uk

Dear Mr Petters

Freedom of Information: Right to know request

Thank you for your email to Clive Corrie; Ed Richards; and Graham Howell which was received on 20 October 2010. You asked the following questions which have been dealt with under the Freedom of Information Act 2000 ('the Act'). I have answered these questions in full below, as numbered by you.

- 1 Over what distance precisely does OFCOM rule that the transfer Radio Frequency energy between two points, not physically connected by any material substance, ceases to be 'wireless telegraphy' according to OFCOM's interpretation of the law?**

Ofcom does not hold this information as it has not made such a ruling.

- 2 If OFCOM believes there is a short distance where it is not regarded as wireless telegraphy, what is that precise distance and where does OFCOM get its power to make such a legal definition**

Ofcom does not hold this information for the reason set out in the answer to question 1.

- 1 Who is the officer at OFCOM responsible for issuing licenses?**

A number of colleagues based in Ofcom's Licensing Centre deal with the issuing of licences, all can be reached through our Licensing Centre at <http://licensing.ofcom.org.uk/>.

- 2 What is the appeal procedure on refusal of a licence?**

No other information is available other than what is in the legislation. The legal position on appeals is governed by the Wireless Telegraphy Act 2006 and the Communications Act 2003.

- 3 Again under the FOI Act, I require a formal refusal document and copies of all paperwork relating to appeals.**

There is no paperwork to disclose to you and we will not be creating any further documentation about our decision not to grant a licence in this case.

If you have any queries then please contact information.requests@ofcom.org.uk. Please remember to quote the reference number above in any future communications.

Yours sincerely

A handwritten signature in black ink, appearing to read 'EMB', with a long, sweeping horizontal line extending to the right.

Eleanor Berg

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exception cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Graham Howell
The Secretary to the Corporation
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA