JRC Response to the Ofcom Consultation on 'Implementing the Environmental Information Regulations 2004.'

JRC Ltd
Dean Bradley House
52 Horseferry Road
London SW1P 2AF
☎ 020 7706 5199
020 7222 4862
info@JRC.co.uk

Key Points

- JRC has consistently warned of an adverse effect of a serious and prejudicial nature on national security may be occasioned by the publication of data revealing the location and technical details of radio systems which support the critical national infrastructure.
- Although some of the data revealed on Ofcom's website can be obtained from other sources, publication by Ofcom facilitates access to sensitive data and enables it to be processed to reveal sensitive details of the way in which key elements of the strategic national infrastructure are constructed.
- In JRC's opinion, the balance between public access to data and protection of essential services weighs in favour of non-disclosure.

Question1: Is there information that we are planning to release that would be covered under one of these exceptions and if so what is the supporting evidence?

1. JRC believes that any information relating to the radio infrastructure owned and operated by the gas and electricity industries and used for operational communications should be exempted from disclosure under these (and other) government regulations. Our supporting case is:

- Whilst it may be possible to identify the location of equipment and radio frequencies in use at utility sites from diligent research, the objection to placing this data in the public domain is that it facilitates disruption of utility networks by any person with hostile intent.
- Although major radio sites and infrastructure are on public view, it is not immediately obvious which services operate from a radio tower (unless it's mounted on a utility site). Many hill-top sites will not be identified externally as carrying utility traffic.
- Corrupting the control messages being passed over these networks requires specialist knowledge, but potentially terrorists could almost certainly obtain that knowledge.
- The danger with putting site, frequency and link data on a public database is that it enables a potential saboteur to identify key nodes in the network which, if attacked, could result in widespread damage.

- For civil disobedience campaigns as opposed to terrorist activity, publishing data on the radio systems used by security personnel guarding high profile sites, eg Power Stations, facilitates identification of the radio frequencies used to co-ordinate the security response and enables protestors to jam radio systems before mounting assaults on the sites.

Question 2: Is there information that we are planning to release that would not be in the public interest to do so looking at each exception individually and then in aggregate and if so what is the supporting evidence?

2. JRC does not believe that it is in the public interest to release the data referred to above. There are two primary purposes underlying the objective of publishing data relating to radio systems:

- To facilitate trading: the utilities acquire this spectrum for operational communications. Where it is not required on a permanent basis, it will be returned to Ofcom; where is it is not required for a short period, JRC will trade access on behalf of the users. There is no benefit in 'advertising' the existence of utility radio licences as the decision of whether to trade a licence is not influenced by the price any potential alternative licensee might offer.

- To allow consumer/citizens to be aware of the radio infrastructure in the vicinity of any particular point of interest. JRC's view is that the benefit to the public of the energy infrastructure operating in a safe and reliable manner is greater than the benefit to an individual of knowledge about particular radio frequency assignments in a given area.

3. The consultation identifies in sections 4.33 and 4.34 that publication of Ofcom's data relating to microwave fixed links might help wind farm developers by facilitating identification of areas where radio infrastructure is located. Although at first attractive, the data published by Ofcom would only be partial. Ofcom assigns some spectrum on a national basis, or has released blocks of spectrum through auctions. Organisations managing blocks of spectrum in this way which are used for fixed links do not notify Ofcom of individual assignments, hence the wind farm developers could be misled into thinking an area is free of radio infrastructure, when in fact it would simply be the case that Ofcom is not responsible for the assignments in a given area.

Question 11: We would also be interested to understand from stakeholders the impact of disclosure of any of the information discussed.

4. Ofcom has striven to publish large amounts of data to facilitate a market for trading radio spectrum. However, it is possibly now reaching the stage where the deluge in information is obscuring and inhibiting market players. Ofcom may find that restricting data released to that where the licensee is willing to trade might be more effective. This would remove a large volume of detail where users have no intention of

trading frequencies commercially, allowing potential sellers and buyers to view the opportunities more clearly.

Background

A. JRC Ltd is a wholly owned joint venture between the UK electricity and gas industries specifically created to manage the radio spectrum allocations for these industries used to support operational, safety and emergency communications. JRC also represents gas and electricity interests to government on radio issues.

B. JRC manages blocks of VHF and UHF spectrum for Private Business Radio applications, telemetry & telecontrol services and network operations. JRC created and manages a national cellular plan for co-ordinating frequency assignments for a number of large radio networks in the UK.

C. The VHF and UHF frequency allocations managed by JRC support telecommunications networks to keep the electricity and gas industries in touch with their field engineers throughout the country. The networks provide comprehensive geographical coverage to support the installation, maintenance and repair of plant in all weather conditions on a 24 hour/365 days per year basis.

D. JRC's Scanning Telemetry Service is used by radio based System Control And Data Acquisition (SCADA) networks which control and monitor safety critical gas and electricity industry plant and equipment throughout the country. These networks provide resilient and reliable communications at all times to unmanned sites and plant in remote locations to maintain the integrity of the UK's energy generation, transmission and distribution.

E. JRC chairs the Information and Communication Technology (ICT) subgroup of the Energy Networks Association's Future Energy Networks Group assessing the ICT implications of Smart Networks, Smart Grids and Smart Meters.

Adrian Grilli
Managing Director
JRC Ltd
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