

SUBJECT TO CONTRACT

**Reference Offer for the provision of
Network Access
in respect of**

**Re-Advertisement of FM Local Commercial Radio
Licence for Ceredigion**



Version 1

Publication Date: 3rd November 2011

SUBJECT TO CONTRACT

Table of Contents

1.	Introduction.....	3
2.	Scope & Specification.....	3
3.	Operation	4
4.	Charges.....	5
5.	Payment Terms.....	5
6.	Basis of Charges.....	5
7.	Engagement Process - Ordering and Processing.....	8
8.	Reference Offer Terms and Conditions.....	9

SUBJECT TO CONTRACT

1. Introduction

This Reference Offer is issued pursuant to paragraph 12.4.3 of the Undertakings in respect of Ofcom's re-advertisement of the FM Local Commercial Radio Licence for Ceredigion on 4 October 2011 ("Advertisement").

This Reference Offer sets out the terms and conditions and charges on which Arqiva is willing to provide Network Access (as such term is defined in the Undertakings) in respect of the FM Local Commercial Radio Licence for Ceredigion.

This Reference Offer is subject to the Reference Offer Terms and Conditions set out in Section 5 of this Reference Offer, and the defined terms used in this Reference Offer can be found at Schedule 1 of the Reference Offer Terms and Conditions.

The specification and prices in this Reference Offer are current at 3rd November 2011 and valid for 90 days after which time they will be revalidated by Arqiva. A copy of this Reference Offer, as updated from time to time, will be placed on Arqiva's website: www.arqiva.com (or any replacement or successor website).

2. Scope & Specification

The scope and specification of Network Access that will be provided by Arqiva pursuant to the Framework Reference Offer for the Provision of Radio Network Access is subject to the detailed terms in the Reference Offer Terms and Conditions, as summarised below.

This Reference Offer is for the provision to the Customer of Network Access. Network Access comprises:

- Provision of access to the two stations listed below each of which is referred to in Ofcom's Advertisement dated 4th October 2011:
 - Blaenplwyf - NGR SN 569 765 – Arqiva freehold site
 - Mynnedd Pencarreg – NGR SN 577 430 – BT Site with Arqiva owned antennas and accommodation.
- Provision of access to the existing combiner and antenna as specified in the tables contained at a and b below;
- Provision of station security/safety (including perimeter fencing)) in accordance with Arqiva's security policies and procedures;
- The electricity supply including distribution within the site and shared accommodation;
- An allowance for supervision by Arqiva of Customer access to the Station, in accordance with the Arqiva Code of Practice.

The Customer will be responsible for providing or procuring all other sites, equipment and services required in order for it to comply with the requirements of any Ofcom licence including, but not limited to, any Managed Transmission Services ("MTS").

It should be noted that Network Access to the site known as Penwaun – NGR SN 154 442 (section 2.4, table 4 of the Advertisement) does not form part of this Reference Offer. The Penwaun site was used by the previous licensee for provision of the service but is not included in this Reference Offer as it falls outside the definition of Network Access in the Undertakings as Arqiva do not have any rights in relation to the site and do not own the mast and antenna systems currently used at the station. Accordingly, Arqiva is unable to offer access to the Penwaun site and so any continued use of it would be subject to direct negotiation between the new licensee and the landlord and/or previous licensee.

SUBJECT TO CONTRACT

It is the responsibility of the new licensee to determine whether it can meet the requirements of the Advertisement if it does not have access to Penwaun, and to put in place any remedial measures necessary if it cannot meet the requirements of the Advertisement.

a. Blaenplwyf

Access to the Station

Access to the Station is via a private track suitable for 4 wheel drive vehicles only.

Accommodation on the ground*

The accommodation is 2.66 square meters, including an access area around the equipment, in existing shared accommodation

Antenna on the tower*

The antenna, shared with other services and comprises four tiers of Sira FMC-01 antennas bearing 105 degrees at a mean height of 80m above ground level

Access to the antenna will be provided via a port on an existing combiner

The Reference Offer transmission parameters for Blaenplwyf transmitter are as follows:

Transmitter location	Blaen Plwyf
National Grid Reference	SN 569 756
Total Maximum erp	5.8 kW (1.2 kW horizontal polarisation, 4.6 kW vertical polarization).
Frequency	103.3 MHz

The Reference Offer Antenna System Horizontal Radiation Pattern is predicted to be contained within the following restrictions. It is not proposed to change the Antenna System at Blaenplwyf from the one in use by the existing Ofcom licensee at the time of writing

Bearing ETN (degrees)	0	10	20	30	40	50	60	70	80
Restriction (dB)	0	0	0	0	0	0	0	0	0
Bearing ETN (degrees)	90	100	110	120	130	140	150	160	170
Restriction	0	0	0	0	0	0	0	0	0
Bearing ETN (degrees)	180	190	200	210	220	230	240	250	260
Restriction	0	0	0	0	0	0	0	0	5
Bearing ETN (degrees)	270	280	290	300	310	320	330	340	350
Restriction	5	8	8	8	5	0	0	0	0

b. Mynnydd Pencarreg

Access to the Station

Access to the Arqiva accommodation at the station is via a track suitable for all standard sized vehicles. Access to the BT Compound has to be arranged through BT who normally will not allow 3rd Parties access to their structures.

Accommodation on the ground*

The accommodation is 2.66 square meters, including access area around the equipment rack, in existing Arqiva accommodation

Antennas on the tower*

The antennas comprise a slant polarised FM Cardioid antenna bearing 315 degrees at 50m above ground level and a 4 element receive Yagi facing Blaenplwyf on 0 degrees at 11.7m above ground level.

* Note. The accommodation and antennas at Blaenplwyf and Mynnedd Pencarreg may only be used for the purposes specified in the Advertisement and in the Reference Offer.

SUBJECT TO CONTRACT

Transmitter location	Mynnydd Pencarreg
National Grid Reference	SN 577 430
Total Maximum erp	400 watts (200 watts horizontal polarisation, and 200 watts vertical polarisation polarisation).
Frequency	96.6 MHz

It is not proposed to change the Antenna System at Mynnedd Pencarreg from the one in use by the existing Ofcom licensee at the time of writing.

Should a variation from the design set out in the Advertisement, or the terms of the Reference Offer, be required please contact the Reference Offer Manager, Broadcast & Media at Arqiva, as this Reference Offer will not apply in such circumstances.

3. Operation

Following provision of Network Access to the Customer at Blaenplwyf, Arqiva will be responsible for:

- Maintenance of the Station, including maintenance of access, perimeter fencing;
- Security of the Station;
- Maintenance of the accommodation on the ground;
- Maintenance of the antenna;
- Maintenance of the tower.

Following provision of Network Access to the Customer at Mynnedd Pencarreg, Arqiva will be responsible for:

- Maintenance of the agreement with BT for the use of this station;
- Security and maintenance of the Arqiva accommodation on the ground;
- Maintenance of the Arqiva antennas in accordance with the terms of the agreement with BT.

The Customer will be responsible for all other elements of ensuring that the Customer Output Signal is received by listeners in accordance with the Advertisement and relevant Ofcom licence, including maintenance of the Transmitter System.

The Customer's design of the Transmitter System will be subject to approval by Arqiva prior to installation; charges in respect of same are included in the charges set out at Section 4 below.

The Customer will be required to comply with the requirements of Arqiva's Access Regulations "Gateway access regulations document - BOP034.3" as updated and amended from time to time and which is published on Arqiva's website.

Prior to being given access to the Station, the Customer will be required to execute a Station Licence in addition to the Reference Offer Terms and Conditions.

Certain access to the Station and works must be supervised by Arqiva as set out in the Site Access regulations. An allowance for charges in respect of supervision of the installation of the Transmitter System is included in charges set out at Section 4 below.

No provision has been made in this Reference Offer for spares or access to emergency reserve facilities or equipment. Accordingly, no provision has been made for a reserve antenna or a generator.

In the event that the Customer wishes at any time to locate and/or use reserve equipment at the Station, it will be subject to availability of accommodation and Arqiva's specific permission

SUBJECT TO CONTRACT

will be required in advance. Any generator must be supplied, installed, and maintained by Arqiva and will be subject to Arqiva's standard charges in respect of same.

4. Charges

a. Blaenplwyf

Charges for provision of Network Access	Annual fee £
Network Access	£7,118.80
Forecast Pass-Through Costs	
- Annual Electricity	£1,700.00
- Rent & Rates Apportionment	£262.50
Total	£9,081.30

The Pass-Through Costs comprise electricity for the Customer Equipment plus an apportionment of the applicable Local Authority Business Rates.

b. Mynnydd Pencarreg

Charges for provision of Network Access	Annual fee £
Network Access	£6348.93
Forecast Pass-Through Costs	
- Annual Electricity	£404.00
- Annual License Fee	£2,204.00
Total	£8,956.93

The Pass-Through Costs comprise the annual licence fee paid by Arqiva to the Landlord, BT, for this service plus electricity for the Customer Equipment.

5. Payment Terms

The Annual Network Access Fee divided by 12 is payable monthly in advance. Forecast Pass-Through Costs will be calculated and payable in accordance with Clause 7.17 of the Framework Reference Offer

6. Basis of Charges

Compliance with the Undertakings

Charges for Network Access are calculated in accordance with the applicable sections of the Undertakings. Accordingly, charges:

- (i) are reasonably derived from the costs of provision;
- (ii) include an appropriate mark up for recovery of common costs;
- (iii) include an appropriate return;
- (iv) only include costs that Arqiva will reasonably and efficiently incur;

SUBJECT TO CONTRACT

- (v) electricity charges will be passed through with no markup on the actual charges paid by Arqiva.

Basis of charges

- (i) The charges are stated at 3 November 2011 prices and are subject to change in accordance with the Reference Offer Terms and Conditions, including (but not limited to): as a result of indexation as provided in the Reference Offer Terms and Conditions; and/ or as a result of matters outside Arqiva's control.
- (ii) The charges in this Reference Offer are valid for 90 days from the date of their publication and will accordingly be revalidated by Arqiva as required.
- (iii) The charges are based on Network Access (including electricity and other utilities) being provided on a 24/7 basis, regardless of the number of hours a day the Customer transmits the Customer Output Signal.
- (iv) The Pass-Through Cost which has been included in respect of electricity is an indicative estimate based on current levels and in respect of rates is based on current rateable values and general use of the site.
- (v) The charges are stated exclusive of VAT.
- (vi) The charges are subject to the Reference Offer Terms and Conditions.

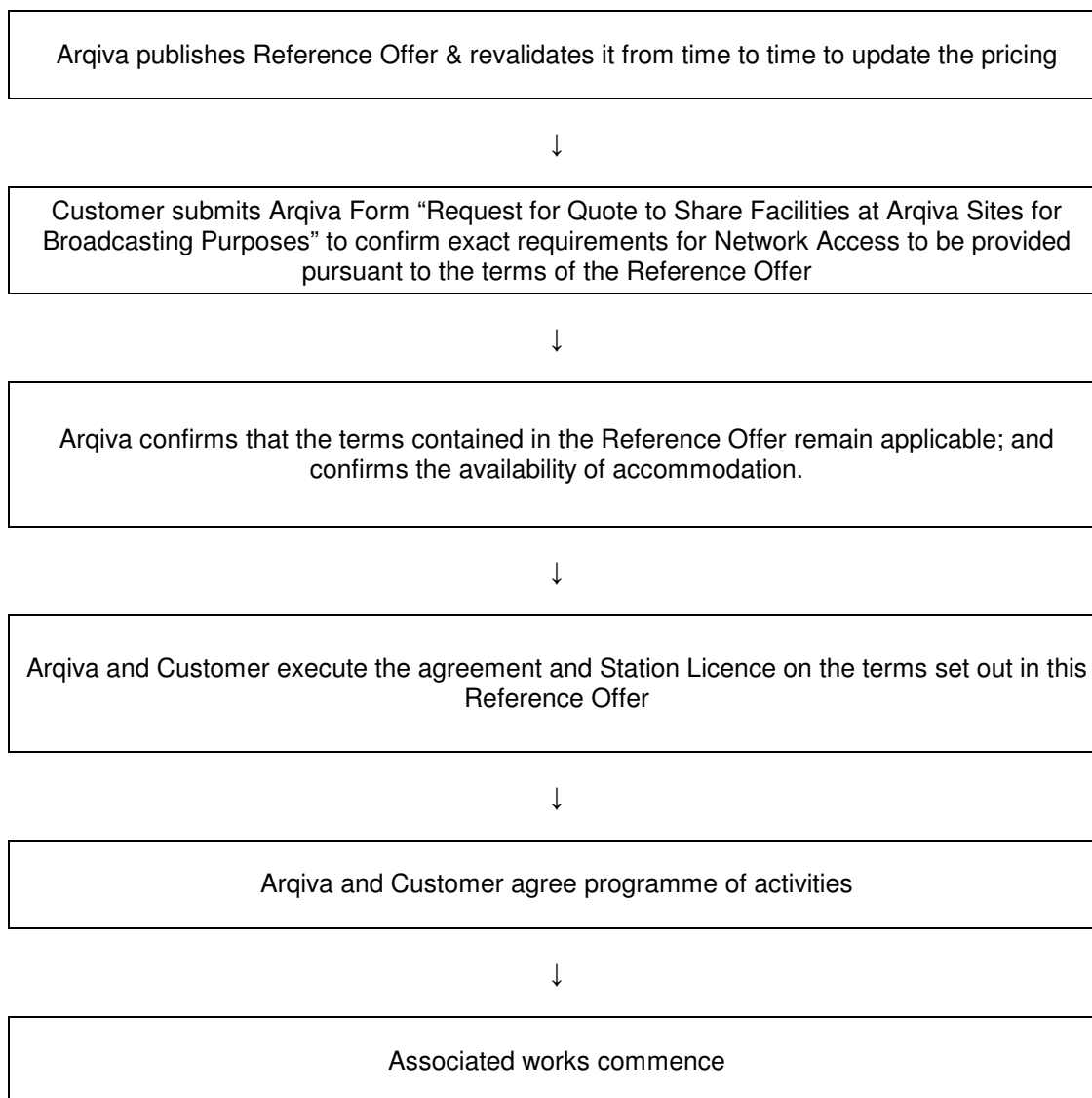
Applicability of the Reference Offer and additional costs

- (i) The charges include an allowance for up to 2 day's supervision of Customer installation of the Customer Equipment. Additional charges at the rate of £400 per day will be applicable in respect of supervision of Customer access to the Station which is in addition to the allowance.
- (ii) The charges include an allowance for up to 1 day's supervision of OFCOM testing the Antenna and the Customer Equipment. Additional charges at the rate of £690 per day will be applicable in respect of supervision by an Antenna Engineer for access to the Station for such tests which are in excess of the allowance.
- (iii) The charges include provision of Network Access based on the above specification, and are subject to the Reference Offer Terms and Conditions. Should a Customer wish to vary the design or terms and conditions from the provision in this Reference Offer, they should contact the Reference Offer Manager, Broadcast and Media of Arqiva as this Reference Offer will not apply.
- (iv) Arqiva is able to provide various other services and equipment, including: advice, consultancy, distribution of the Customer Output Signal, telemetry/monitoring, additional equipment or equipment which differs from that included in this Reference Offer, or any services other than Network Access as set out in this Reference Offer. Should a Customer require such additional services or equipment they should contact the Reference Offer Manager, Broadcast and Media of Arqiva as this Reference Offer will not apply and a separate quote and contractual arrangements will be provided.

SUBJECT TO CONTRACT

7. Engagement Process - Ordering and Processing

It will be a pre-requisite to any Network Access being provided under this Reference Offer that the Customer first enters into an agreement and a Station Licence with Arqiva in the form set out in Schedule 5 of the Framework Reference Offer, which contains the terms and conditions that will apply to the Customer's receipt of Network Access. The Engagement Process shall be as follows:



8. Reference Offer Terms and Conditions

This offer is made subject to the terms and conditions in the Framework Reference Offer for the Provision of Radio Network Access, which may be viewed through the following link:

<http://www.arqiva.com/corporate/documentation/referenceoffers>