

Local TV Reference Offer: Guidance to external parties in communicating with Arqiva (version 2; published 4 May 2012)

1. Introduction

In January 2012, Ofcom published a draft Note for Applicants on the Coverage of Local Television (“Coverage Note”) which illustrates the coverage that might be achieved by local television services in 44 locations across the UK. Ofcom subsequently commissioned Arqiva to carry out a short study to assess the feasibility of building local TV infrastructure at each of the proposed locations and of accommodating antennas on the transmitter masts. Arqiva has also produced Reference Offers that set out the indicative costs for providing local TV services at each of the locations, plus a further five locations which have been added at Ofcom’s request, and these are available on Arqiva’s website at <http://www.arqiva.com/corporate/documentation/referenceoffers/>.

The purpose of this guidance is to provide information to customers, potential bidders and other interested parties as to which part of Arqiva they should contact in connection with the Local TV Reference Offer.

Arqiva’s business is regulated in the areas of Network Access (NA)¹ and Managed Transmission Services (MTS)² pursuant to the Undertakings.

Arqiva also has to adhere to the Information Security Strategy (ISS) which forms part of and is referred to in paragraph 16 of the Undertakings.

In order to comply with the ISS in the context of the Local TV Reference Offer, it will be necessary to ensure that confidential information provided by either:

- (i) a customer or prospective bidder in relation to existing and new transmission agreements; or
- (ii) an MTS provider before during or after the process of negotiating an agreement for network access

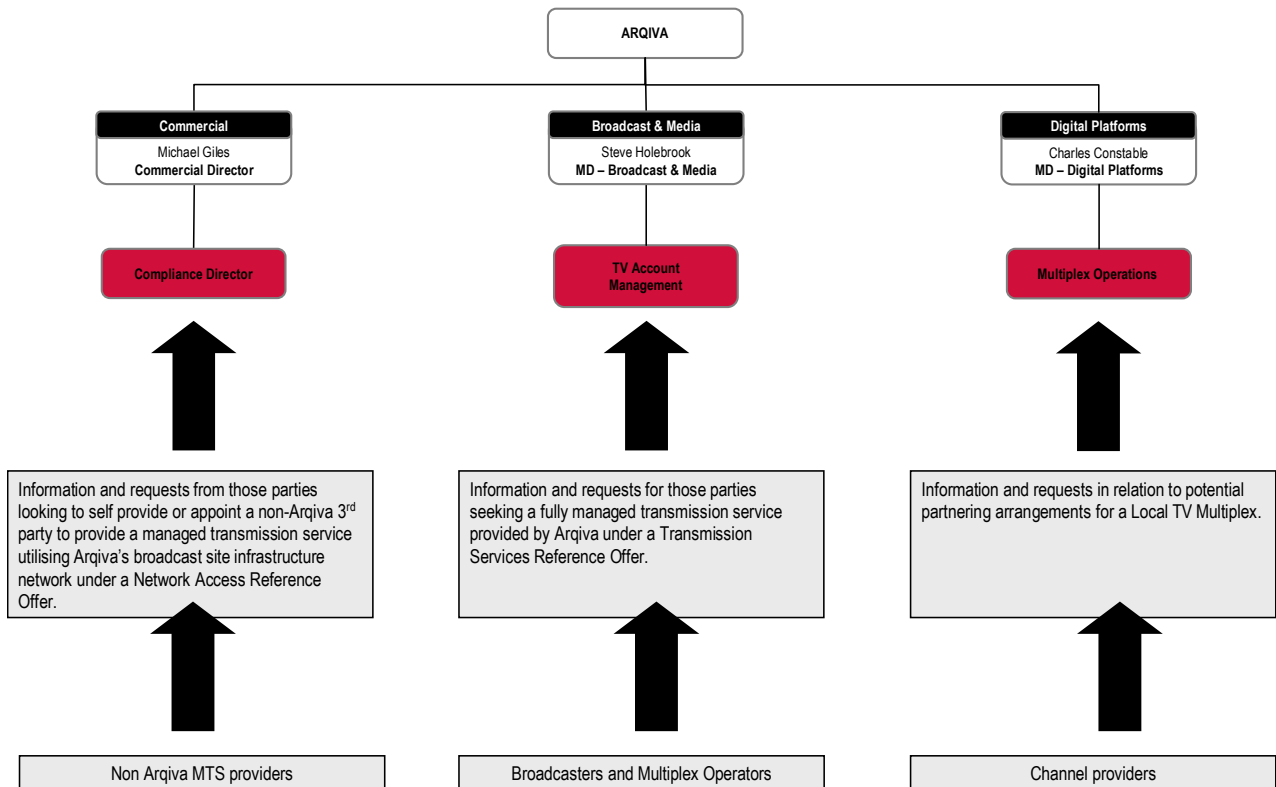
is used solely for the purpose for which it was supplied and that Arqiva shall respect at all times the confidentiality of that information. The information must not be passed on to any other business units, departments, subsidiaries or partners of Arqiva for whom such confidential information could provide a competitive advantage.

¹ **Network Access** means the provision of access to the mast and site network and shared or shareable antenna systems acquired, constructed or installed by Arqiva for the purposes of providing analogue and/or digital terrestrial broadcasting transmission services within the United Kingdom to deliver broadcast content to end users as described in the Report (other than in relation to Community Radio Licences, in respect of which no SLC was found); (Source: the Undertakings)

² **MTS** means the provision of a managed terrestrial transmission service (comprising a package of services including some or all of network design, procurement and installation of transmitters, network monitoring, quality assurance of the signal and/or maintenance of Transmitter equipment) for the purpose of providing analogue and/or digital terrestrial broadcasting transmission services within the United Kingdom to deliver broadcast content to end users as described in the Report (other than in relation to Community Radio Licences, in respect of which no SLC was found); (Source: The Undertakings)

2. Arqiva's structure

The diagram below provides an overview of where the various groups that will be working on Local TV related activities sit within Arqiva's structure and highlights the interface points for interested parties.



3. **Contact Points**

All correspondence and communication with Arqiva in connection with the Local TV Reference Offer should be directed as follows:

- (a) Potential operators of a Local TV Multiplex

If your company is a potential operator of a Local TV Multiplex then you may wish to obtain and discuss information relating to Arqiva's broadcast mast network and transmission of broadcast content. The contact details are as follows:

- (i) **For those parties seeking to engage Arqiva to provide a fully managed service comprising of access to Arqiva's broadcast mast network and a managed transmission service. This combined service is referred to as a "Transmission Service" in the Undertakings and Arqiva is obliged to provide a Transmission Service Reference Offer.**

The contact details are as follows:

Steve Holebrook, Managing Director – Broadcast & Media Division –
Email: steve.holebrook@arqiva.com

- (ii) **For those parties seeking to either self provide or engage a third party (not being Arqiva) to provide a managed transmission service then Arqiva will provide information on Arqiva's broadcast mast network and this is referred to as "Network Access" in the Undertakings and Arqiva is obliged to provide a Network Access only Local TV Reference Offer.**

The contact details are as follows:

Michael Giles, Compliance Director – Commercial Division –
Email: michael.giles@arqiva.com

- (b) Parties who are interested in exploring potential partnership opportunities in connection with a Local TV Multiplex

If any party is interested in approaching Arqiva to evaluate opportunities in connection with a Local TV Multiplex in partnership with Arqiva, the contact details are as follows:

Charles Constable, Managing Director – Digital Platforms –
Email: charles.constable@arqiva.com

4. Other matters
 - (a) Third parties should ensure that communication is established through the appropriate channels referred to in Clause 3 above.
 - (b) It is possible that the nature of an enquiry could fall into Clause 3 (a) above and/or Clause 3 (b). If this is the case, then the third party should contact Michael Giles in the first instance who will determine which approach is the most suitable.
5. The ISS makes reference to “Very High Risk Confidential Information” which would include:

Information which indicates the intention of a Customer or prospective customer (as defined in the Undertakings) to bid or consider a bid for any spectrum auction that could be in competition with Arqiva;

Any prospective customer should take appropriate steps to ensure that any “Very High Risk Confidential Information” that has been communicated to the appropriate contact point(s) referred to under 3 (a) above and its status as “Very High Risk Confidential Information” should be confirmed in writing as such.