Joint response by Digital 3and4 Limited (D3&4) and SDN Limited (SDN) to Ofcom consultation on the UK Communications Infrastructure Report[1]

30 September 2010

D3&4 and SDN welcome the opportunity to issue a joint response to Ofcom's consultation on its proposed approach to fulfilling the new duty under the Digital Economy Act 2010 to produce a report on the UK's Communications Infrastructure. As operators of multiplexes on the Digital Terrestrial Television (DTT) platform, D3&4 and SDN play a key role in the UK's digital broadcast infrastructure. As such, the coverage, capacity, availability and resilience of our multiplexes are relevant to Ofcom's new reporting duty.

D3&4 and SDN will of course co-operate with Ofcom in this process and will provide the necessary information requested of them. However, we would stress to Ofcom that, potentially in contrast with other stakeholders who may be affected by this reporting duty, D3&4 and SDN are small operations with little if any full-time resource. Ofcom should therefore be mindful of the potential resourcing impact on D3&4 and SDN arising from the need to respond to information requests issued by Ofcom in the context of the Communications Infrastructure report.

In general, we consider that Ofcom should seek to minimise the reporting burden on all affected stakeholders – for instance by sourcing relevant information from within Ofcom as far as possible. In relation to the DTT multiplexes, we also consider that Ofcom should source as much information as possible from Arqiva – as the owner and operator of the UK's DTT network infrastructure – thereby minimising the burden on the multiplex operators themselves.

We welcome in this regard the suggestion in Ofcom's consultation document that the reporting burden on multiplex operators will be minimal. Specifically, Annex 6 of the consultation document suggests that information on the UK's DTT infrastructure will be collected as follows:

- **Coverage**: information will be collected from the JPP coverage models, and so there will be no further information required from industry.

- **Capacity**: in relation to information on the number of TV, radio and data services carried on each network and data rates, we recognise that information on such services for the DTT multiplexes would be best collected from the multiplex operators themselves. We expect that the provision of this information should be manageable in resourcing terms.

- **Availability:** Contrary to the assertion in para 3.67 of the Consultation, Ofcom does hold information about the availability of, or disruptions to DTT services. In accordance with the Ofcom licence requirements, each year the multiplex

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[1] Ofcom, *The UK Communications Infrastructure Report: Ofcom's proposed approach to its new reporting duty*, consultation document published 22 July 2010 (referred to as the "consultation document" in this response).

operators submit technical reports detailing the performance of the multiplex over the previous calendar 12 months. Such reports provide overall performance statistics and details of significant outages and disruptions both for the overall multiplex and for the individual services carried on the multiplex. We suggest, therefore, that Ofcom uses these reports as the source of information about availability of the DTT network and does not impose an additional reporting requirement. Additionally, since those reports are based upon six month calendar periods, it would be sensible to base the analysis upon those periods, i.e. January to June and July to December.

- **Resilience**: as the owner and operator of the UK's DTT network infrastructure, we consider that information on risk assessment, emergency plans etc is best collected from Arqiva.

On the basis of the consultation document, it appears to us that Ofcom's new reporting duty should impose minimal burden on D3&4 and SDN. We would welcome confirmation of this position in Ofcom's statement following the completion of the consultation process.