



# Self-help TV relays and Digital Switchover

Statement following consultation

Statement

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## Section 1

# Summary

- 1.1 Ofcom has consulted on a licensing regime for community television relay services (commonly referred to as “self-help relays”). Self-help relays are used by communities to receive television in areas where analogue reception is very poor, or unavailable. At digital switchover, relay operators will need to take some action (adjustment, upgrade, or replacement of the transmitter) for the relay to continue to work. Changes to the technical parameters for the relay will need to be planned to ensure that interference is not caused to other services, and the relay will need to be licensed by Ofcom under the Wireless Telegraphy Act.
- 1.2 This statement summarises the most important points raised by respondents to the consultation on Self help TV relays and digital switchover published on 7 December 2006. The consultation closed on 1 March 2007. The statement sets out Ofcom’s decisions in relation to the proposed Wireless Telegraphy Act licensing regime for digital self help relays and explains the reasoning behind the decisions.

## The consultation

- 1.3 In the consultation, Ofcom proposed to set up a licensing regime for digital self-help relays. Digital self-help relays could, subject to spectrum availability, help maximise the coverage and availability of digital television throughout the UK following digital switchover (DSO).

## Ofcom’s proposals

- 1.4 Ofcom stated that it wanted to ensure that viewers that currently rely on a self-help relay to receive terrestrial television would not lose reception at digital switchover (DSO). The consultation sought to establish what interest exists in providing digital self-help relays following digital switchover and to get views on the proposed licensing regime.
- 1.5 Ofcom proposed to establish a regime for licensing self-help relays under the Wireless Telegraphy Act 2006 (the “WTA”). Ofcom proposed that the cost for frequency planning for existing relays should be met by Ofcom and the BBC, but that the planning costs for new relays should be met by the operators. Ofcom proposed that licences for self-help relays should be available to anybody that needed them, subject to availability of frequencies. Ofcom proposed to set the fee for a five year WTA licence at £75.

## Responses to the consultation

- 1.6 Ofcom received 31 responses. Of these, twenty responses were submitted by, or on behalf of operators of self-help relays. Most of the responses were in favour of our proposals for licensing digital self-helps.
- 1.7 The main concerns raised by respondents were about costs for frequency planning, the £75 WTA licence fee and technical matters related to conversion of the relay equipment.

## Conclusions

1.8 Having considered the responses to the consultation Ofcom has decided to:

- Establish a licensing regime for self help relays that retransmit digital services, as proposed in the consultation.
- Publish guidance for self-help operators (published alongside this statement).

## Section 2

# Consultation statement

### Digital switchover

- 2.1 Starting in 2008 and ending in 2012, television services in the UK will go completely digital, TV region by TV region. In July 2006, Government announced that Whitehaven in Cumbria will lead out the switchover programme towards the end of 2007. Digital switchover is the process of changing the UK's television broadcasting to digital.

### Self-help relays

- 2.2 In most parts of the UK, viewers receive their terrestrial television from a transmitter in the main transmission network which is maintained by the broadcasters. This network covers 98.5 per cent of the population. In some areas, where there is poor analogue reception, communities have built their own transmitters to relay the main public service broadcasting channels. These transmitters are licensed by Ofcom under the Wireless Telegraphy Act as Community Television Relay Services and are commonly referred to as self-help relays.
- 2.3 Most self-help relays are in rural areas in Scotland and Wales to help small communities overcome problems with reception caused by the landscape (for example mountains). Some self-help relays are in urban areas and some help overcome problems with reception caused by new structures (for example a high rise building or a wind farm).
- 2.4 Digital self-help relays, subject to spectrum availability, could help maximise the coverage and availability of digital television throughout the UK following digital switchover. Ofcom wants to facilitate self-help relays where they can help extend the terrestrial coverage of Public Service Broadcasting (PSBs) channels in the future.
- 2.5 This statement summarises the most important points raised by respondents to the consultation on self-help TV relays and digital switchover. It sets out Ofcom's decisions in relation to the proposed Wireless Telegraphy Act licensing regime for digital self-helps and explains the reasoning behind the decisions.

### The consultation

- 2.6 The consultation was published on 7 December 2006. It closed 1 March 2007. Ofcom received 31 responses. The consultation document and all responses that were not confidential are available on the Ofcom website at <http://www.ofcom.org.uk/consult/condocs/selfhelp/>.
- 2.7 In the consultation, Ofcom proposed to set up a licensing regime for digital community low power relay transmitters (commonly referred to as "self-help relays"). Digital self-help relays, subject to spectrum availability, could help maximise the coverage and availability of digital television throughout the UK following digital switchover (DSO).
- 2.8 Ofcom stated that it wanted to ensure that viewers that currently rely on a self-help relay to receive terrestrial television would not lose reception at digital switchover (DSO). The consultation sought to establish what interest exists in providing digital

self-help relays following digital switchover and to get views on the proposed licensing regime.

## Ofcom's proposals

2.9 In the consultation, Ofcom made the following proposals:

- 2.9.1 To establish a regime for licensing digital self-help relays under the Wireless Telegraphy Act 2006 ("WTA"), both for areas currently served by a self-help relay, and for potential new areas, where poor digital terrestrial reception is identified in the future.
- 2.9.2 To make available WTA licences for digital self-help relays in all areas currently served by a self-help relay, provided a self-help relay is still needed in that area to receive terrestrial television after DSO, and a suitable frequency can be found. Ofcom would invite applications in a region by region sequence, ahead of the roll-out of DSO in each area. The invitation to apply would be published on the Ofcom website and sent by post to existing self-help licensees.
- 2.9.3 To consider applications for self-help relays for new areas and make available WTA licences for digital self-help relays subject to spectrum availability. Ofcom would accept applications for WTA licences for self-help relays for areas that are not currently served by a self-help relay at any time once those areas have been identified (before or after DSO in that area).
- 2.9.4 In cases of competing applications, normally to award the licence to the incumbent on the ground that they are more likely to provide a continuation of service. In the case of competing new applicants, to award licences for digital self-help relays on a first come, first served basis.
- 2.9.5 To issue licences for a period of five years (renewable subject to compliance with licence conditions and spectrum availability).
- 2.9.6 That the cost for frequency planning for existing relays would be met by Ofcom and the BBC, but that the planning costs for new relays should be met by the operators.
- 2.9.7 To charge a fee for the licence. In most cases, this was expected to be the minimum fee of £75 for a five year licence.

2.10 Ofcom asked the following questions in the consultation:

*Question 1: Do you agree with Ofcom's proposal to license digital self helps for areas currently served by a self help relay, and how we propose to make available licences? If not, please give your reasons.*

*Question 2: Do you agree with Ofcom's proposal to license digital self helps for areas not currently served by a self help relay, and how we propose to make available licences? If not, please give your reasons.*

*Question 3: Do you agree with how Ofcom proposes to deal with the frequency planning for self help relays? If not, please give your reasons.*

*Question 4: Do you agree with Ofcom's proposed fee for WTA licences for self help relays? If not, please give your reasons.*

## Responses to the consultation

- 2.11 Ofcom received 31 responses. Of these, twenty responses were submitted by, or on behalf of, operators of self-help relays. Five responses were from organisations (including the BBC, JFMG, Digital UK and Scottish Screen), one was from an MP, one was from Ofcom's Advisory Committee for Scotland, one was from an aerial installer/engineering firm and the remaining three were from individuals.
- 2.12 Most of the respondents (all but two) were broadly in favour of our proposals for licensing digital self-helps. The main concerns raised by respondents were about costs for frequency planning, WTA licence fees, and technical matters related to conversion of the relay equipment.
- 2.13 All responses that were not marked confidential are available on the Ofcom website at <http://www.ofcom.org.uk/consult/condocs/selfhelp/>.

## Costs / fees

- 2.14 Most respondents agreed with the proposed WTA licence fee of £75 for a five year licence.
- 2.15 Seven respondents disagreed with the proposed fee for various reasons. These respondents felt that there should be no fee, or no increase in the fee, mostly on the basis that the viewers using the relay already pay the BBC licence fee. Three of these respondents thought there should not be any fee for the licence while others thought the BBC licence fee or the broadcasters should cover the costs, on the grounds that they already pay a BBC licence fee without receiving good quality reception.
- 2.16 Most respondents agreed that current relay operators should not meet the cost of the frequency planning necessary to convert the relay to digital transmissions. Two respondents thought the broadcasters should meet these costs. Three respondents questioned who should pay for the frequency planning for relays in areas that currently do not need a self-help relay but which may need one to receive terrestrial television in the future, as a result of DSO. These respondents argued that if a deficiency was caused by DSO, the costs for the frequency planning should not be met by the operator.

## Ofcom's response

- 2.17 Ofcom's proposal was to set the fee for the licence at the lowest level consistent with fees for other WTA licences. The use of the BBC licence fee is governed by the BBC Charter whereas the self-help licensing regime is the responsibility of Ofcom. The £75 fee (for a five year WTA licence) will contribute to Ofcom's costs in administering the licences.
- 2.18 We have taken on board the responses in relation to the frequency planning for new relays, where poor terrestrial reception becomes apparent at DSO. In cases where viewers currently have reasonable analogue terrestrial reception, but will not be able to receive digital terrestrial television, Ofcom and the BBC may be able to meet the cost of frequency planning, depending on the circumstances. Ofcom would generally



not meet the planning costs for new relays where the poor reception is caused by new buildings or similar.

### **Technical matters / conversion of the relay**

- 2.19 Thirteen respondents raised concerns over information and advice while three mentioned the costs of converting the relay. Many urged Ofcom to provide more information of costs and technical assistance for equipment replacement.
- 2.20 Some respondents said that it is too early to decide whether they will need an upgrade after DSO as they do not know whether a self-help relay will be required. These respondents asked Ofcom to keep them up to date with any information about the expected digital signal in their areas.
- 2.21 Many of the responses from self-help relay operators and communities were concerned about having relevant information to help decide whether the area will require a self-help relay after DSO. There was high demand for technical guidance and advice from Ofcom. Respondents explained that they will not have enough information to apply for a licence until they know for sure that they require a self-help relay after DSO. One respondent suggested that detailed community surveys should be carried out to gauge demand for each self-help.
- 2.22 Respondents generally agreed that more information was required in order to make preparations for any potential upgrade work.

#### Ofcom's response

- 2.23 Ofcom agrees that it is important for self-help relay operators to have access to as much information as possible, and sufficiently in advance, to enable them to make an informed decision about whether to continue with the relay or not. Ofcom intends to write to each relay operator individually as DSO approaches in their area, and would encourage self-help operators to contact Ofcom as early as possible.
- 2.24 A community survey could help operators decide whether a self-help relay is needed, and it is open to each operator to carry out a survey. However, Ofcom will not be able carry out surveys of individual self-help relays.
- 2.25 Ofcom is trying to assist relay operators in making their assessment in time to plan the relay and ensure continuity at DSO, by providing detailed advice and guidance, as well as reminders and more information closer to DSO in their area. The Guidance notes are published with this statement and will be sent by post to all self-help licensees.

### **Objections to Ofcom's proposals**

- 2.26 Two respondents did not agree with Ofcom proposals. One respondent thought that if additional spectrum is needed then operators should pay market price and suggested that access to spectrum should be outsourced to a spectrum management organisation. One respondent suggested that existing users should be encouraged to use alternative platforms and that reception problems should be solved in ways that do not use interleaved spectrum.

### Ofcom's response

- 2.27 Ofcom said in the consultation that in most cases, Ofcom expects that digital self-help relays will use the same frequencies as the DTT multiplexes to relay the services to a geographical area that would not otherwise be served. As the same frequencies would be used, there should be little or no opportunity cost associated with the relay, and therefore no reason to apply incentive pricing to encourage more efficient use. If Ofcom receives proposals for digital self-help relays that would require the use of additional spectrum, these will be considered on a case by case basis and in the light of the information about all other potential uses of the spectrum. Additional fees, consistent with the application of incentive pricing, may be appropriate in these cases.
- 2.28 Ofcom considers that it is important that, wherever possible, viewers have access to a choice of digital platforms at DSO, and that viewers who currently rely on a self-help relay to receive television should not lose television reception at DSO.

### **Expressions of interest**

- 2.29 Ofcom also invited expressions of interest in digital self-help relays from persons currently operating a self-help relay, or persons who wish to take on the operation of a relay in an area currently served by a self-help relay. We wrote to all existing self-help licensees inviting them to contact Ofcom if they want to continue to operate a relay.
- 2.30 We received one clear expression of interest although several others supported a licensing regime for digital self-helps because they would be likely to require a self-help relay after DSO. Ofcom has made an initial assessment of the responses received and will take them into account when considering the predicted digital terrestrial coverage after DSO and frequency availability for digital self-help relays.

### **Conclusions**

- 2.31 Having considered the responses to the consultation Ofcom has decided to:
- 2.31.1 Establish a licensing regime for self-help relays that retransmit digital services, as proposed in the consultation, and
  - 2.31.2 Publish guidance for self-help operators (published alongside this statement).
- 2.32 Guidance notes for operators and potential applicants are published alongside this consultation.