

Second National Commercial DAB Multiplex Reference Offer: Guidance to external parties in communicating with Arqiva (version 2; published 4th July 2014)

1. Introduction

In December 2013, Ed Vaisey, Minister for the Department for Culture, Media and Sport announced that in 2014 Ofcom will offer the licence to build and run a second national commercial DAB multiplex (D2).

On 1st July 2014, Ofcom published an advertisement inviting applications for the licence, with a closing date of 30th October 2014, and an anticipated award of the licence in early 2015.

The purpose of this guidance is to provide information to customers, potential licence bidders and other interested parties as to which part of Arqiva they should contact in connection with the second national commercial DAB multiplex.

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.

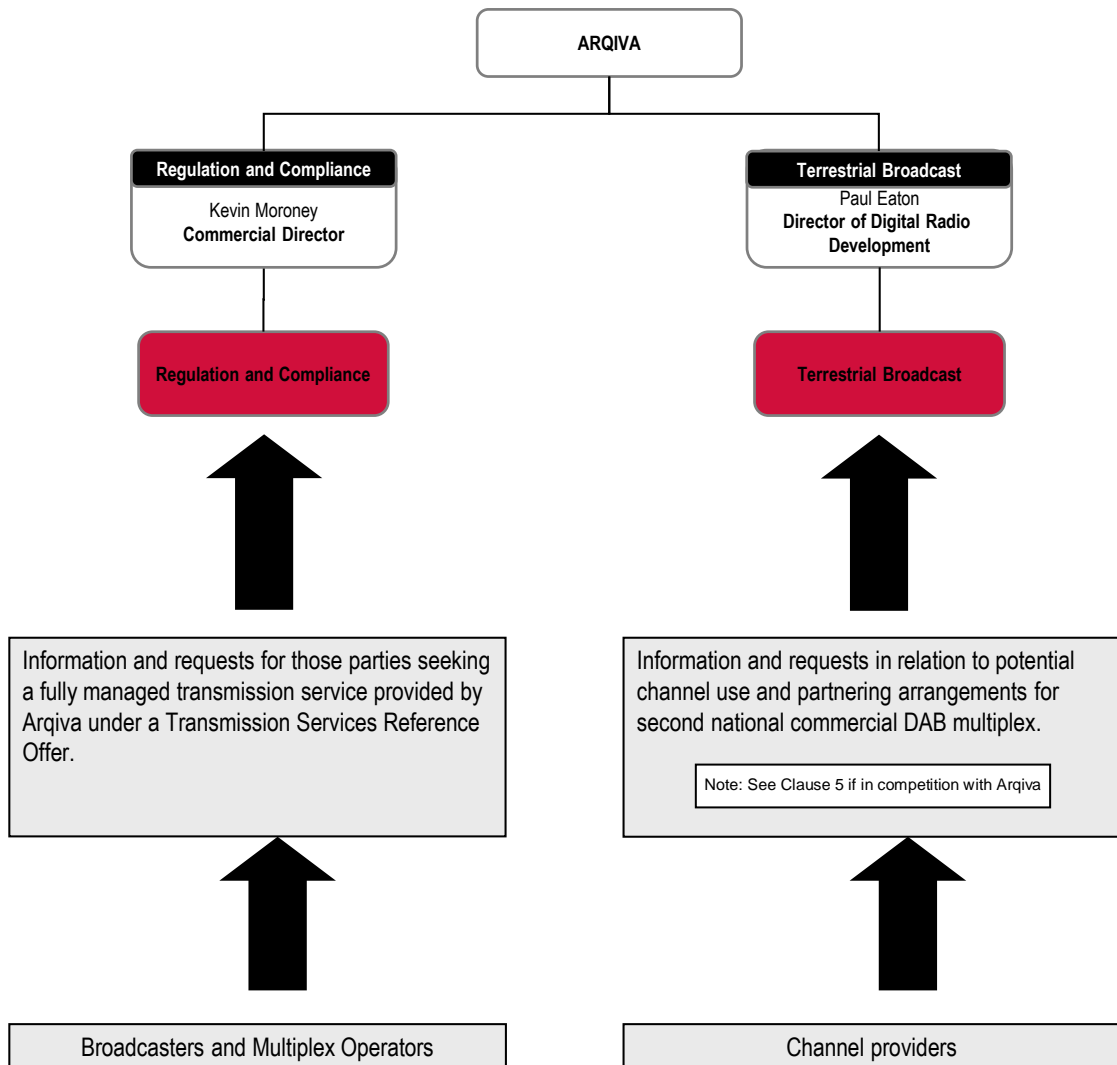
In order to comply with the ISS in the context of the second national commercial DAB multiplex Reference Offer, it will be necessary to ensure that confidential information provided by a customer or prospective licence bidder in relation to existing and new transmission agreements is used solely for 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 the second national commercial DAB multiplex 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 **Second National Commercial DAB Multiplex** Reference Offer should be directed as follows:

- (a) Potential operators of a second national commercial DAB multiplex

If your company is a potential operator of a second national commercial DAB 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:

Kevin Moroney, Director – Regulation and Compliance –
Email: kevin.moroney@arqiva.com

- (b) Parties who are interested in exploring potential partnership opportunities in connection with a second national commercial DAB multiplex

If any party is interested in approaching Arqiva to evaluate opportunities in connection with a second national commercial DAB multiplex in partnership with Arqiva, the contact details are as follows:

Paul Eaton, Director – Terrestrial Broadcast –
Email: paul.eaton@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 Paul Eaton in the first instance who will determine which approach is the most suitable.

If a third party enquiry could be in competition with Arqiva, please see clause 5.

5. Very High Risk Confidential Information

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.

To keep their identity confidential, an external party may need to go through a third party agent or engage with the Compliance Director who will maintain the required confidentiality.

The contact details for the Compliance Director are as follows:

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