

## **Consultation 1/2023: Operating Budget for The Office of the Adjudicator- Broadcast Transmission Services**

The Office of the Adjudicator-Broadcast Transmission Services (OTA-BTS) has been set up as one of the requirements of the Competition Commission's report into the merger of Arqiva and NGW in 2008. The purpose and functions of the Office are set out in the Undertakings [<https://www.ota-bts.org.uk/undertakings.html>].

Para 17(b) of Appendix 1 to the Undertakings requires Ofcom to set an annual budget for the operation of OTA-BTS and to consult with the Adjudicator, Arqiva and its customers. Arqiva bears the cost of this budget.

The process agreed between Arqiva, Ofcom and the Adjudicator for the year 1 April 2023 to 31 March 2024 is that:

- By 24 February 2023, Ofcom will deliver to Arqiva a proposed budget. The Adjudicator will publish the total sums involved on the OTA-BTS website for consultation within a week of that date. The budget must be adequate for the Adjudicator to discharge his function.
- Arqiva will respond within 10 working days.
- Ofcom will consider the responses from Arqiva and the consultation and finalise the budget by 15 March 2023.

The proposed budget is composed of two parts. The first is the operational budget which includes staff costs, rental of office and IT facilities, book-keeping and the provision of legal and economic advice for work that can be anticipated and is necessary for the functions of the Adjudicator. The second is a contingency sum that will be called on for the additional expense relating to the determination of disputes and any non budgeted investigation work. None of the contingency has been needed to date.

The operational budget for 2022/23 was **£478,444**, with a contingency sum of **£470,000**.

For the 2023/24 the proposed budget is **£497,188** with a contingency sum of **£470,000**

Any person wishing to comment should do so in writing to the address below, marking the response with the reference Consultation 1/2022. The response should be in answer to the question "Do you consider the proposed budget is adequate to allow The Adjudicator to fulfil his functions as set out in The Undertakings?". The responses will be forwarded to Ofcom for their consideration in finalising the budget.

The final date for responses is Friday 10 March 2023. Responses may be published on the OTA-BTS website. Please note that confidential responses cannot be accepted.

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