

Office of the Adjudicator – Broadcast Transmission Services

Report for the period:

1 July 2026 – 30 September 2026

An explanation of the background to the Undertakings, the Office of the Adjudicator Broadcast Transmission Services (OTA-BTS) and the role of Transmission Adjudicator can be found in Appendix A at the end of this report.

1 Key Events in the Quarter & Stakeholder Meetings

1.1 Work by Economic Consultants NERA

For the past eighteen months, NERA has been working to analyse Arqiva's profitability, their Cost and Pricing Models and the Radio Rate Card for Network Access. Since the last Quarterly Report, there have been further discussions involving NERA, Arqiva and others about a final version of the report to be delivered to the Adjudicator. It had been hoped that the report would have been delivered during this quarter, but that did not prove to be possible.

As noted previously, some sections of NERA's report may need to be redacted due to commercial confidentiality or other reasons. The Adjudicator will consider any redactions within the framework of the Undertakings. This will seek to balance the obligations regarding confidentiality alongside those to promote transparency.

When NERA's work is published, if the Adjudicator believes any new or revised Guidance may be appropriate, the consultation will invite representations from all stakeholders.

1.2 Review of WACC and Inflationary Mechanism

The Adjudicator selected Frontier Economics to carry out a review of the WACC and Inflationary Mechanism. The last time there was a WACC Review was in 2015.

Their work will begin in October 2026, and the target is to publish their report and consult on it at the start of 2027. Subject to inputs to the consultation process, a new WACC would be set in the late spring.

1.3 DCMS Green Paper

During the quarter, the consultation by the Department for Culture, Media and Sport on the Green Paper "Watch this Space: a new strategic direction for UK media" closed. Chapter 3 of the Green Paper considered, in the context of television viewing migrating to streaming platforms, options for switching off DTT either at the end of 2034 or the end of 2044.

DCMS is currently considering responses, and it is expected that a white paper will be published in due course.

1.4 Arqiva Efficiency Plans

In March, Arqiva announced a set of business changes, which were largely implemented by the end of June. These include reducing people costs and third-party costs. Arqiva has underlined that its aim is to deliver efficiencies while maintaining service delivery.

The Adjudicator continues to discuss with Arqiva the most appropriate way to track any effects of the changes. As part of this process, in October the Adjudicator is due to meet Arqiva's Chief of Operations.

The Adjudicator continues to discuss with Arqiva the best way for its customers to raise any concerns or questions (a discussion which is not limited to the recent business changes). The primary contact should, almost always, be a stakeholder's account manager. Where stakeholders feel there are matters related to the Undertakings, it remains open for them to contact the Adjudicator.

1.5 Reviews of Sample Reference Offers

Simon Mason continues to work in the Adjudicator's team as a part-time consultant. A key part of his role has been to review a sample of offers made by Arqiva for contract renewals.

1.6 Meetings with Stakeholders

The Adjudicator, working with Drew Hosie, has prepared a short PowerPoint pack to be the basis for a presentation to individual stakeholders about the work of OTA-BTS and the Adjudicator. Input is being sought from Arqiva before finalising the content.

During this period the Transmission Adjudicator, Glyn Jones, and his team held meetings either face-to-face or via video conference using Teams with:

Arqiva	Bauer	BBC
CMA	Comux	D3&4
DCMS	Folder Media	Global
News UK	Ofcom	UK Regulators' Network

1.7 The Adjudicator's Team

Glyn Jones has been Transmission Adjudicator since March 2024. Megan Donald is the Executive Assistant and Office Manager. Jeff Astle works with the Adjudicator on consultations and other projects. All three work part time.

In addition, Alice Wallace-Wright of HLC (new name for Hogan Lovells International LLP) provides legal advice and Professor Geoffrey Myers provides ad-hoc advice on economics and regulation

Simon Mason and Drew Hosie provide ad-hoc technical expertise and advice. During the Quarter Lyn Hartman has started to provide support on organisational efficiency

Megan Donald is based at Ofcom's offices at Riverside House. The rest of the team have access to desks and meeting rooms in Ofcom's building when needed.

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2 2026/27 Budget

Expenditure from 1 April 2026 to 30 September 2026 (end of Q2 of the OTA-BTS financial year) was £255,700 against an annual budget of £991,028. This is running below expected spending, with the rest of the year expected to be closer to budget and reflects the phasing of expenditure (including for legal advice and external consultancy). In addition, a contingency of £470,000 is available if needed.

The Undertakings require Arqiva to fund the Office of the Adjudicator.

3 Routine Reporting Items

3.1 Arqiva's Performance

Paragraph 35 of Appendix 1 requires the Adjudicator to comment on the performance of Arqiva over this period, in relation to the Undertakings.

The performance of Arqiva continues to be generally satisfactory.

3.2 Disputes

In this period there have been no matters which required the use of the formal Dispute procedure described in Appendix 2 of the Undertakings.

In 2025, the Transmission Adjudicator published some additional information about the Dispute process set out in Appendix 2. This information can be found at:

<https://ota-bts.org.uk/dispute-process-non-binding-advice-and-information/>

3.3 Guidance

During this period, no new Guidance has been issued. The Transmission Adjudicator has previously issued Guidance covering Paragraphs 6 and 9-12 of the Undertakings and is of the opinion that no Guidance is required in relation to Paragraph 3.

The Transmission Adjudicator will continue to monitor compliance with the Undertakings and existing Guidance and will consider whether any further Guidance is required.

Documents related to Guidance previously issued by Ofcom and the Office of the Adjudicator can be found on the website at www.ota-bts.org.uk.

3.4 Publication of Reference Offers

During the quarter, Arqiva updated the “Radio Rate Card for Network Access” which is used to generate pricing proposals. The RPI figure used was 3.03% for the year to April 2026.

The updated rate card can be found at:

https://cdn.prod.website-files.com/69d8eeal7616bfla54611e09/6a7b2b1a316450b84a2b67d0_9b75c904d92abd51b0165fe8dc40f3f6_Arqiva_Radio_Rate_Card_for_Network_Access_2026-27.pdf

and other reference offers are available at:

<https://www.arqiva.com/footer-links/documentation>

Adjudicator guidance issued in 2009 endorsed the rate card approach for calculating Network Access prices for radio.

3.5 Compliance Report

Paragraph 18.1 of the Undertakings requires Arqiva to deliver an annual report to the Office of Fair Trading (now the Competition and Markets Authority), setting out steps taken to comply with the Undertakings plus details of any breaches or potential breaches and the steps taken to remedy them.

The report for the year from 1st July 2025 to 30th June 2026 was delivered to the CMA, Ofcom, and the Adjudicator in September 2026.

Paragraph 8.2.1 of the Undertakings requires Arqiva to inform customers in writing twelve months before the expiry of a Radio Agreement of the options they have for renewal. The report explained that Arqiva had breached the Undertakings as it had been unable to locate three renewal letters for two radio customers. Arqiva does not believe the breach caused any disadvantage to the customers and has reviewed its processes with the aim of avoiding any recurrence. The breach was reported to the Competition and Markets Authority in May 2026 and the customers concerned were made aware of the issue.

3.6 The Undertakings

The Adjudicator believes that the Undertakings, the Adjudication Scheme and Adjudication Rules are satisfactory at the present time and that no changes are needed. As required by the Undertakings, this will continue to be kept under review.

3.7 Information Security Strategy

Paragraph 16.2 of the Undertakings requires Arqiva to produce an Information Security Strategy which defines the measures to be taken to ensure that confidential information held in one part of the company cannot be used by another for commercial advantage.

This can be found under the "Corporate" tab at:

<https://www.arqiva.com/documentation>.

Arqiva has recently republished the document to reflect the company's new branding.

4 Feedback

The Undertakings require certain things to be included in each quarterly report and for the reports to be sent to the Competition and Markets Authority and Ofcom. In addition, the reports are published on the website of the Office of the Adjudicator at www.ota-bts.org.uk.

Any stakeholder comments about this report, its contents, or suggestions for how it could be improved would be welcome and should be emailed to the Transmission Adjudicator glyn.jones@ota-bts.org.uk.

Appendix A – Background

The aim of this appendix is to explain why OTA-BTS exists, what its job is, and what the Transmission Adjudicator is here for.

Back in 2008, Arqiva took over the only other major company providing transmission services to radio and TV broadcasters (i.e. National Grid Wireless).

At the time, the Competition Commission judged the deal “...may be expected to result in a substantial lessening of competition...and...may be expected to result in...adverse effects...”. After consulting with broadcasters and other stakeholders, the deal was allowed to go ahead on the basis of a detailed set of promises made by Arqiva. These are known as the Undertakings.

One requirement of the Undertakings was the setting up of the Office of the Adjudicator and the appointment of a Transmission Adjudicator. While that appointment is made by Ofcom, the Adjudicator takes decisions independently of Ofcom, Arqiva and UK broadcasters.

The Office of the Adjudicator exists to ensure the promises in the Undertakings are being kept and followed, to issue guidance and directions to Arqiva and to adjudicate in certain disputes between Arqiva and its customers.

The goal of the Undertakings is to ensure any substantial lessening of competition does not result in adverse effects and help replicate the outcomes that would be expected in a competitive market.

The Undertakings can be found at:

<https://ota-bts.org.uk/the-undertakings/>

Although the Adjudicator has independence when carrying out their functions, the Undertakings give Ofcom certain roles (e.g. setting the budget each year, appointing Adjudicators and in some circumstances terminating their contracts).

Finally, alongside the Adjudicator, overarching responsibility for compliance with the Undertakings sits with the Competition and Markets Authority.