



Welsh Government  
Consultation Document

# Next Generation Access Broadband Open Market Review – Request for Information

Date of issue: 5 January 2017  
Action required: Responses by 3 February 2017

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

<b>Overview</b>	<p>The purpose of this Open Market Review (OMR) and the associated consultation is to confirm the premises in Wales which do not have Next Generation Access (NGA) broadband infrastructure delivering at least 30Mbps, or where there are no plans to provide such infrastructure over the next three years.</p> <p>This process enables telecommunications companies and all other interested stakeholders to provide information on their plans and to comment on the mapping of black / grey / and white premises based on that information.</p> <p>This OMR exercise will be used to inform a subsequent procurement by The Welsh Government to address the white premises identified via this OMR. Welsh Government is aiming to extend the availability of superfast broadband across Wales.</p>
<b>How to respond</b>	<p>Please email <a href="mailto:OMR@wales.gsi.gov.uk">OMR@wales.gsi.gov.uk</a> marked “Open Market Review Response” as described in Section 5 and 6.</p>
<b>Further information and related documents</b>	<p><b>Large print, Braille and alternative language versions of this document are available on request.</b></p> <p>A dataset of premises in Wales will be made available to those operators registering to respond, upon signing the related licensing terms.</p> <p>An Interactive Map of the extent of the coverage area can be found at the following location:</p> <p><a href="#">Coverage Area</a></p>
<b>Contact details</b>	<p>If you have any questions about this State Aid Open Market Review process, please contact the OMR team by email at:</p> <p><a href="mailto:OMR@wales.gsi.gov.uk">OMR@wales.gsi.gov.uk</a></p>
<b>Data protection</b>	<p>How the views and information you give us will be used</p> <p>Any response you send us will be seen in full by Welsh</p>

Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

## **The Welsh Government – Open Market Review**

### **1. Introduction**

The Welsh Government is working on the 'Superfast Cymru' programme to develop a nationwide superfast broadband infrastructure across Wales. Superfast Cymru will boost commercial roll-out to deliver high speed fibre broadband to 96% of homes and businesses in Wales by 2017. This is a major infrastructure investment that will take around three years to complete. To introduce a high speed broadband infrastructure to rural areas on this scale is an immense engineering task - the programme will deploy around 3,000 new fibre broadband cabinets to bring superfast broadband to Wales. Superfast Cymru is set to transform the broadband landscape in Wales and to promote economic growth and sustainable jobs in Wales.

The current Superfast Cymru programme is due to end in June 2017, enabling Superfast Broadband to be accessed by a substantial number of premises throughout Wales. Accessibility for the remaining few percent of eligible premises will then be addressed through a further phase of activity. The Welsh Government has therefore undertaken to carry out an Open Market Review (OMR). The objective of this OMR is to help the Welsh Government understand where private sector investment in next generation broadband networks across Wales has already occurred, is currently being undertaken and is planned in the next three years. The information gathered will help The Welsh Government determine where, in the absence of private sector investment, the deployment of the Superfast Cymru network should be focussed to meet the remaining few percent of eligible premises.

### **2. Geographical Scope**

The scope of this request for information concerns the whole of Wales. In order for you to provide information we will be asking you to identify the geographic areas of Wales which you cover or plan to cover. Once we have this information, and you have signed the requisite Licence Agreement, we will send you a premise level UPRN data set in order for you to provide a response.

The premise data has been sourced from AddressBase Premium EPOCH 45 (17/11/16). A map of this area is shown at the following link:

[Coverage Area](#)

### **3. Progress to Date**

The Superfast Cymru contract to deliver superfast broadband to a defined intervention area was awarded to British Telecommunications (BT) on 19<sup>th</sup> July 2012 with State Aid approved public funding of £205m. Following its most recent public consultation between 3<sup>rd</sup> June and 3<sup>rd</sup> July 2014, the Welsh Government extended the contract with

BT to cover a further defined intervention area with State Aid approved public funding of £19.4m.

Superfast Cymru covers an Intervention Area of some 767,000 premises that were assessed as being outside the scope for normal commercial NGA investment through an open market review process. The £225m of funding allocated to date aims to deliver at least 90% superfast broadband coverage to the Intervention Area by June 2017 and in line with the UK Government's targets, The Welsh Government is seeking to substantially increase superfast coverage by the end of 2022 through a new procurement, to be confirmed in 2017.

We have been allocated up to £200m additional public funding which includes contributions from The Welsh Government, BDUK, the EU and the Local Authorities and details of these and any restrictions on their usage will be explained in our forthcoming tender documentation. It is therefore The Welsh Government's intention to procure Next Generation Access solutions – those capable of achieving a minimum of 30 Mbps download speed – for the remaining area in scope for NGA deployment.

#### **4. Purpose of this OMR**

As part of this new procurement process, we are now commencing an Open Market Review to establish existing and planned (next 3 years) commercial coverage of broadband services across Wales by all existing and any prospective, NGA broadband infrastructure providers.

This OMR is intended as a precursor to a formal public consultation document. The UK applies a best practice process that promotes the use of both an OMR and a Public Consultation, the latter being conducted in a manner consistent with the requirements of the Broadband Guidelines.<sup>1</sup> We consider that early market engagement at this stage is an essential and extremely important part of our early market research. The results of the OMR will assist us with understanding the broadband infrastructure (Next Generation Access (NGA)) already in place and where there are plans for investment in such infrastructure in the coming three years and a significant step in the design of the intervention area to be targeted by the new contract.

Once we have defined these Intervention Areas from the OMR, we will be conducting a minimum one month State aid public consultation on our proposed Intervention Areas. We propose to launch our ITT in 2017.

#### **5. Your Response Required**

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<sup>1</sup> Community Guidelines for the application of State aid rules in relation to rapid deployment of broadband networks  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2013:025:0001:0026:EN:PDF>

We are sending this OMR to all recognised broadband infrastructure and internet providers in Wales. In addition, we are publishing this OMR document on our website.

We require responses by February 3<sup>rd</sup> 2017 to the questions set out in the Annex. When responding, we would be grateful if you could confirm your organisation's name and address, as well as the name, position and contact details of the person responding on behalf of the organisation.

## **6. Provision of information**

The OMR Response Template will be released to providers once a signed Public Sector End User Licence, which can be found at the Welsh Government OMR Consultation Portal, has been returned to [OMR@wales.gsi.gov.uk](mailto:OMR@wales.gsi.gov.uk).

Before we release the template, please first identify the geographic areas of Wales which you cover or plan to cover – indicating the relevant Local Authority Areas. We will then send a version of the OMR Response Template tailored to these specific areas.

Please note that the data you provide in your response will be treated as commercially confidential to The Welsh Government, albeit that it may be necessary to share some/all of your response data with our professional advisors and/or DCMS/BDUK, Ofcom, BIS State Aid Branch and the European Commission in the course of seeking State Aid. It should also be noted that it is a State Aid requirement to utilise this information to produce State Aid maps to define white, grey and black areas for basic and NGA broadband. These maps will be published as part of the Public Consultation process and will be utilised to define the intervention area. However, please note that these published maps will be assimilated utilising data from all relevant operators and will not be directly attributed to a single source.

If you have any questions about any of the above, please contact [OMR@wales.gsi.gov.uk](mailto:OMR@wales.gsi.gov.uk).

## **7. Address of Welsh Government OMR Consultation Portal**

<https://consultations.gov.wales/consultations/next-generation-access-broadband-open-market-review>

## Annex

**1. Please provide details and supporting evidence of any current or planned investment in broadband infrastructure (basic broadband and NGA broadband) in Wales. In the case of planned investment, we are particularly interested in plans for the coming three years (to December 2019). Beyond completion of the spreadsheet template (or instead of the spreadsheet if you are not able to provide the information in the required template form), any information provided in response to this request should include but not be limited to:**

- Premises detail for basic broadband and NGA broadband showing the existing coverage and separately maps detailing the planned investment in the basic broadband and NGA infrastructure networks for at least the next three years;
- Exact detail of premises passed or covered, including information on the number of premises passed (in the case of a fixed network) or covered and able to receive services (in the case of a wireless/satellite network);
- Details of the technology and where these claim to be NGA, demonstrate how they meet the minimum standards as set-out in the BDUK Technology Guidelines<sup>2</sup>
- Description of the services/ products currently offered and separately those to be offered within the next 3 years;
- Installation and rental tariffs for those services/products clearly identifying whether they are inclusive or exclusive of VAT;
- Upload and download speeds typically experienced by end users;
- Appropriate indicators of quality of the service e.g. contention ratio or bandwidth allocation per end user;
- Evidence to substantiate actual or planned coverage claims including business cases and evidence of available funding to enable plans to be fulfilled.
- Details and timing of roll-out for future investment; and
- Confirmation from an authorised signatory that all information provided is of suitable accuracy.

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[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/236341/NGA\\_Technology\\_Guidelines\\_300813.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/236341/NGA_Technology_Guidelines_300813.pdf).

A worked example can also be found at <https://www.gov.uk/government/publications/2016-nbs-tech-guidelines>

Please supplement with supporting evidence as you consider appropriate e.g. public websites.

Thank you,

**Welsh Government**