KCOM
Telephone House
35-37 Carr Lane
Hull
HU1 3RE

21/12/2023

FAO KCOM,

We are writing to formally request access to KCOM's physical infrastructure network pursuant to the Ofcom Hull Area Wholesale Fixed Telecoms Market Review 2021-2026 ("Ofcom Market Review").

We believe this makes it more vital than ever that telecommunications companies like ours work together to share infrastructure for the benefit of residents of Hull and the East Riding of Yorkshire.

The Ofcom Market Review found KCOM to have Significant Market Power (SMP). The Ofcom Market Review imposes remedies on KCOM to address Ofcom's competition concerns and ensure that consumers of retail and wholesale broadband service in Hull get better services and competitive prices.
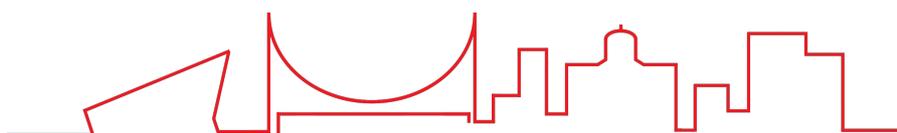
We therefore make an application to KCOM under paragraph 2.12 of the Remedies Section (Volume 3 of the Ofcom Market Review), for access on a fair and reasonable basis to KCOM's existing physical infrastructure, in particular ducts ("SMP Regulatory Framework").

More specifically, we therefore request that KCOM offers up access to its network of ducts and poles across Hull and the East Riding under the SMP Regulations based on the same terms, processes and methods used in Openreach's national Passive Infrastructure Access product. We consider such a request is reasonable under the SMP Regulatory Framework. We believe that KCOM is now effectively required to provide the relevant form of physical infrastructure access on fair and reasonable terms, including fair and reasonable conditions and charges.

We would like to work towards a sharing agreement for the totality of the KCOM network, as is the case for the Openreach network nationally. We have included and attached an initial request for Hedon as a first build area utilising KCOM infrastructure sharing as it should function as a manageable area/size of build to enable KCOM to respond promptly.
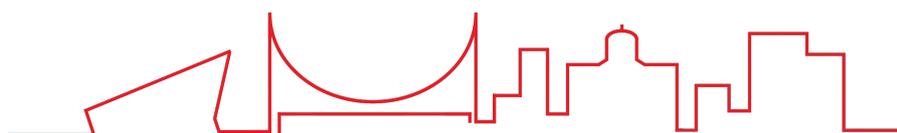
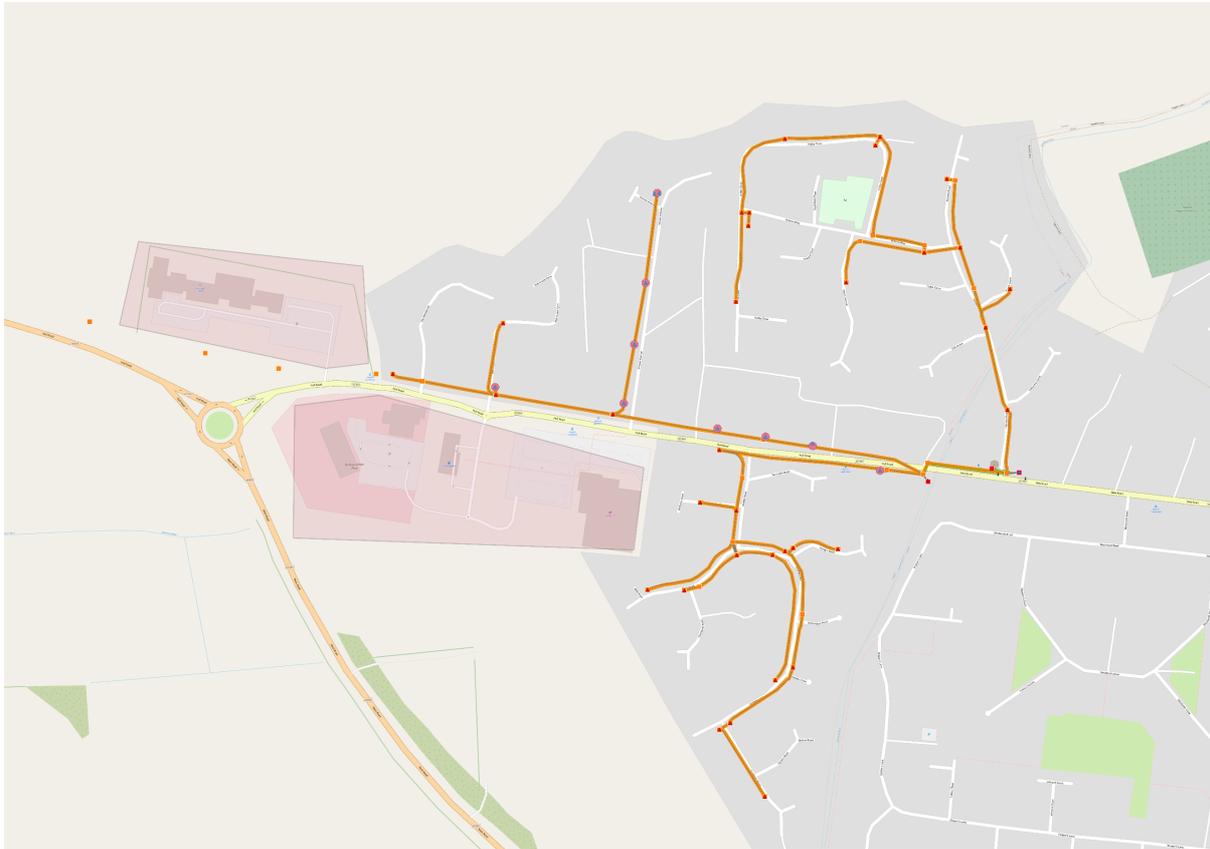## Contents

Statement of Requirements

In order to do this, we require:

1. KCOM to establish an uncomplicated and transparent pricing model, akin to the Openreach Physical Infrastructure Access (PIA) agreement, for KCOM's passive infrastructure access products. For comprehensive guidance, a clear product description and process templates aligned with Openreach, such as the Bulk Pole Test Template, PIA forecasting form, and A55 template form, will be provided by KCOM.

2. Engineering principles for third-party Communication Providers (CPs) using KCOM's network that mirror those of Openreach. Overhead engineering principles, covering CP07 (Sub-duct), CP08 (Overhead), and CP17 (Pole step shift), along with underground principles such as CP09 (Underground blown fibre tubing), CP11 (Optical fibre cables and blown fibre bundle), CP10 (Cable underground installation support and protection), CP13 (Specification for underground civils and associated work), CP14 (Underground network power feed cable 54v DC and cable enclosures), CP15 (Civils avoidance), and CP16 (Technical departure from specification for communication providers - civils) will be provided by KCOM.

3. KCOM, on request, in relation to a specific geographic area, to provide Connexin a detailed inventory of KCOM infrastructure in an accessible geodata format, facilitating the identification of its chambers, ducts, poles, and other passive infrastructure in the given area.

4. Accredited engineers must be permitted to conduct surveys and access KCOM's infrastructure. This includes intrusive tests, rod and roping activities to determine ducting capacities. Engineers accessing KCOM infrastructure must possess necessary accreditations, in line with national principles, for example SA001, SA002, S005, S006 for surveys, and SA001, SA002, S007, S008, S009 for network build. KCOM must clearly outline the accreditations needed for engineers to access its infrastructure.

5. A systematic process for third-party CPs to install passive infrastructure in/on KCOM's chambers, ducts, and poles, using their own staff and/or subcontractors, will be established. This includes, but is not limited to, Distribution Points, Splicing Enclosures, Cabling, Subduct, and Slack Coils.

6. A fault reporting mechanism for third-party CPs to report defects or faults in the KCOM network, akin to Openreach, will be implemented. This includes the ability to report blockages to KCOM for agreed standard clearance solutions, such as desilting, duct repair, and overlays.

7. KCOM will provide appropriate health and safety documentation, including a method statement template, RAMS template, ACM arrangements in the underground network, access network risks, pre-climb/pre-work check, and guidelines for handling gas and contaminated water in the KCOM network.

Hedon Request

To facilitate the proposed Hedon build, kindly refer to the OS Plan provided below and access the supporting documentation, specifically the KCOM Supplementary Document – Inventory, attached herewith.
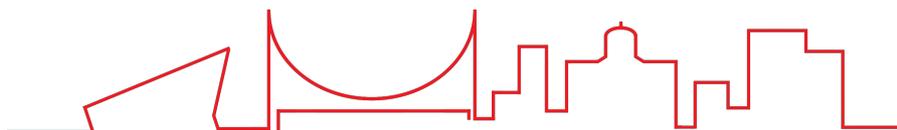

Connexin aims to route fibre cables from the east side to a cabinet located within central Hedon. Subsequently, the distribution cables will leverage KCOM's existing infrastructure, including chambers, poles, and ducts (inventory of which is detailed below).

Our initial planning has indicated that we will need access to:

<u>UG</u>

- 52 jointing chambers, with the intention of installing 33 underground splice enclosures (Underground Distribution Point) within these chambers, secured to bearers or mobra arms where available.

- We require access to install 48 Fibre Ultralightweight (48ULW) through approximately 2970m of underground ducting (some variance from site).

- We will require to core drill into 2 number of your boxes outside of Rose Cottage, Hull Road, HU12 8DE and corner of Farrand Road and New Road (near 102 New Road, HU12 8BS).

OH

- Access is needed to 9 Poles, with plans to install 10 overhead splice enclosures (Aerial Distribution Point) on these poles.

- Access is required to install 48 Fibre Ultralightweight (48ULW) aerially, covering approximately 181m overhead and comprising 3 spans between poles.
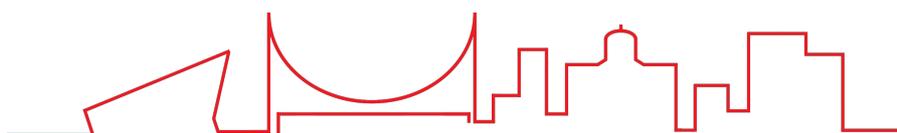
Material specifications:

48 ULW – Prysmian (Prysmian Fibre Optic Aerial Drop Cable ULW EPFU SM 48 Fibre G657A1 9/125 HDPE Black/Yellow (Dia)7.1mm METRE (comtecdirect.co.uk)**)**
Aerial Distribution Point – Commscope (760249539 | OFDC-B8G-L2/G0-18-N-72 | CommScope / 760248636 | OFDC-B8G-L2/G0-28-N-72 | CommScope / 760253298 | OFDC-C12-L2/V0-38-N-48 | CommScope**)**
Underground Distribution Point – Commscope (760249539 | OFDC-B8G-L2/G0-18-N-72 | CommScope / 760248636 | OFDC-B8G-L2/G0-28-N-72 | CommScope / 760253298 | OFDC-C12-L2/V0-38-N-48 | CommScope**)**

Kindly review the following for a model of this area aligned with Openreach's PIA charges for similar access. We request KCOM to furnish the cost for this specific inquiry.

Rental Item	Quantity	Openreach PIA Annual Rental	Total Annual Rental Cost
Spine Duct Facility – Single Bore	2970m	£0.35/m	£1,039.50
Facility hosting (per joint box entry)	33	£2.51	£82.83
Cable up a pole (per cable)	9	£1.85	£16.65
Facility on pole for Multi-end-user attachment	10	£6.29	£62.90
Pole top equipment	10	£1.85	£18.50
Total Openreach PIA Annual Rental Cost Equivalent			£1,220.38

Closing Statement

We anticipate a collaborative engagement with your team in a prompt manner regarding this request. We request that you provide all of the following before COB on 12th January 2024:

1. confirmation of agreement to the seven principles outlined in our Statement of Requirements;
2. the KCOM pricing, in keeping with our requests to mirror Openreach pricing, for the Hedon build ; and
3. a date for a meeting with us to be held not later than 19th January to start work on the implementation of the build in Hedon.

Failure to meet any of the above by 12th January will compel us to submit an official complaint to Ofcom, citing your failure to provide fair and reasonable access to your physical infrastructure network.

I look forward to hearing from you.

With kind regards,

Furqan Alamgir
CEO