



Proposal to grant temporary licences to Starlink Services LLC

Independent Networks Cooperative
Association

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1 Executive Summary

- 1 INCA supports the principle of spectrum access for Starlink where such access enhances the overall resilience and reach of the UK's connectivity ecosystem. Such access, however, must be accompanied by a clear and enforceable compliance regime that safeguards the UK's long-term strategic goal of nationwide, competitive, and domestically controlled digital infrastructure.
- 2 INCA recognises the benefits of Starlink's low-earth orbit (LEO) technology in addressing remote connectivity challenges but emphasises that such services must complement – rather than compete – with ongoing efforts to build robust, UK-owned terrestrial digital infrastructure.
- 3 INCA supports the proposed temporary licences on the condition that Starlink and similar LEO services are strictly positioned as a technology of last resort. Public subsidies must only be made available where no viable fibre or fixed wireless alternative exists.
- 4 INCA suggests that LEO connectivity be excluded from coverage statistics unless deployed in genuinely unreachable areas. This is to ensure continued investment in long-term infrastructure and avoid misleading portrayals of universal coverage.
- 5 INCA calls for clear safeguards around critical national infrastructure. Internationally-operated LEO networks should not be permitted to bypass obligations imposed on UK providers, especially if integrated into the UK's critical national infrastructure. Any operator providing connectivity in the UK must be fully compliant with UK laws on consumer protection, data governance, security and net neutrality.

2 Introduction

- 1 The Independent Networks Cooperative Association (INCA)¹ is the leading UK trade association representing organisations deploying independent digital infrastructure.

¹ [Independent Networks Cooperative Association – supporting the independent digital networks](#)

Founded in 2010, INCA aims to foster a new approach to digital infrastructure, focusing on full fibre (FTTP) and high-quality wireless broadband whilst campaigning for the policy and regulatory support needed to maintain a healthy, competitive market that continues to attract investment to the UK.

- 2 INCA welcomes the opportunity to respond to Ofcom's consultation regarding the proposal to grant temporary licences to Starlink Services LLC for use of the 71–76 GHz and 81–86 GHz bands for non-geostationary satellite orbit (NGSO) gateway earth stations at three sites in the UK.
- 3 INCA recognises the potential value of Starlink in extending connectivity to remote or otherwise unreachable areas of the UK. Provided it is managed transparently and proportionately, INCA believes that Starlink can coexist with the UK's broader connectivity objectives.
- 4 INCA's support, however, must not be construed as support for unfettered use of LEO services as an alternative to land-based networks. Any authorisation granted must sit within a framework that prioritises infrastructure-based competition and long-term investment in UK-owned digital infrastructure.
- 5 Since the Government's Future Telecoms Infrastructure Review (FTIR) in 2017, and the government's Statement of Strategic Priorities (SSP) for Ofcom, the UK fixed telecoms sector has been transformed with more than 100 new market entrants building new competitive full-fibre networks, challenging the Openreach network monopoly. It is of paramount importance that competitive full-fibre and fixed wireless networks are not put at a disadvantage through Starlink being granted licences.

3 LEO as a Technology of Last Resort

- 6 INCA believes that Starlink should only be consumed as a connectivity technology of last resort, only deployed in locations where it is not viable to provide connectivity through terrestrial infrastructure.
- 7 This principle should be embedded in BDUK frameworks and Ofcom guidance. LEO satellite services should only be eligible for public funding (e.g. vouchers, procurements)

when no terrestrial alternative is feasible. Funding should not incentivise short-term coverage fixes from foreign-controlled platforms at the expense of sustainable UK infrastructure.

8 INCA recommends that:

- LEO services are ineligible for public funding unless a full technology audit demonstrates that no full-fibre or fixed-wireless is viable within reasonable cost and deployment timescales
- BDUK's procurement and voucher schemes adopt an explicit technology hierarchy that reflects this prioritisation
- Ofcom's duties to promote investment and competition be interpreted to exclude support for LEO alternatives in competitive areas
- Ofcom should ensure it has exhausted any domestic options (including domestic LEO operators) before granting licences to non-domestic LEO operators such as Starlink.

4 Regulatory Parity

- 9 Should LEO operators, such as Starlink, seek to become a component of the UK's connectivity framework, then they must be held to the same standards as UK-based ISPs. This parity is essential to avoid distorting competition, compromising consumer protections, or weakening the integrity and security of the UK's digital infrastructure framework.
- 10 INCA considers that there is an embryonic risk that LEO operators can provide services into the UK market while avoiding many of the regulatory requirements imposed on UK-based fixed and wireless ISPs. Such asymmetry creates both an uneven playing field and unacceptable policy shortcomings, particularly if LEO services begin to intersect with public funding, national resilience, and critical national infrastructure (CNI).
- 11 Maintaining regulatory parity is not only an issue of fairness, but also of strategic necessity. Without it, the UK risks:

- Enabling regulatory arbitrage, where overseas providers undermine domestic infrastructure without equivalent obligations
 - Consumers in very-hard-to-reach areas being left with less transparent, lower-quality, or less accountable services
 - Public funds may be diverted from long-term, scalable infrastructure towards short-term fixes.
- 12 INCA urges Ofcom to issue clear guidance that all providers in the UK – including LEO platforms – must conform to the same general conditions and consumers standards. Furthermore, INCA encourages Ofcom to work closely with government to ensure satellite-based service delivery is held to the same legal, technical, and transparency frameworks as fixed and wireless terrestrial networks.

5 Critical National Infrastructure

- 13 Notwithstanding that LEO operators can provide real benefit in extending connectivity reach, the integration of overseas-based infrastructure into the UK's digital infrastructure ecosystem introduces national security considerations. These must be explicitly addressed within any spectrum authorisation framework, particularly when the platforms involved are not subject to UK jurisdiction or operate critical elements of their networks from overseas. Starlink Services embodies this concern as a US-registered and privately controlled entity.
- 14 There should be no regulatory arbitrage whereby a LEO operator, who is not based in the UK, can deliver services into the UK without being subject to the same obligations as domestic providers, especially if their networks become part of the UK's CNI.
- 15 Given the geopolitical sensitivities surrounding digital infrastructure owned and operated by international operators, INCA urges Ofcom and the government to develop clear and binding limits on the use of LEO operators in CNI.

6 Coverage Targets and Investment

- 16 The integration of LEO satellite services into the UK connectivity landscape must not be allowed to distort public policy objectives around long-term infrastructure deployment. While satellite platforms like Starlink may offer useful solutions, they must not be permitted to be a substitute where terrestrial options are viable, nor should they be used to artificially boost headline coverage metrics.
- 17 If improperly positioned within government policy or Ofcom reporting, LEO technologies could be exploited as a shortcut to meeting politically visible targets, such as achieving universal coverage, without addressing the underlying infrastructure deficit or enabling sustainable competition.
- 18 This would undermine investor confidence in the UK, bypassing the continued need to invest in terrestrial infrastructure when there remain swathes of the country who *could* be reached by terrestrial infrastructure but have not yet been.
- 19 Permitting widespread public funding or procurement of LEO solutions without safeguards risks cannibalising the commercial case for alternative network providers (Altnets). This is particularly acute in rural and semi-rural locations where Altnets may already be operating at the edge of viability.
- 20 If LEO solutions are permitted to pre-empt terrestrial delivery through faster deployments or receive public funding at an equivalent or lower per-premises rates than terrestrial services, then the policy environment effectively subsidises internationally-controlled platforms at the expense of UK infrastructure providers. This not only undermines existing Altnet business models, but also the UK's stated ambition to create a robust digital economy and drive inward investment into the UK.
- 21 Ofcom must:
 - Ensure that services delivered via LEO platforms do not count towards universal coverage targets unless used in defined unreachable areas
 - Ensure that there are no incentives to manipulate coverage metrics by deploying LEO platforms in locations where full-fibre or fixed wireless solutions are viable solutions

- Ensure that any LEO deployment funded via public subsidy must include safeguards which include obligations to migrate to terrestrial infrastructure in any given area if/when that becomes feasible.
- Work with BDUK to classify and publish LEO-eligible premises based on open, evidence-led geographic and commercial deployment criteria.

7 Safeguards on Temporary Licencing

- 22 INCA supports Ofcom's proposal that Starlink's licence is temporary, with a clear end date of 31 December 2028. INCA cautions, however, that without explicit conditions and monitoring, there is a risk that this temporary licence becomes de facto permanent due to Starlink becoming embedded in UK digital infrastructure and creating dependencies.
- 23 Starlink's temporary access to spectrum should not be permitted to evolve into a scenario whereby revocation or non-renewal of the licence is politically or operationally impractical. Starlink must not be permitted to position itself as indispensable to UK digital infrastructure by the time the temporary licence expires.
- 24 To avoid this risk, INCA recommends that Ofcom explicitly define non-renewal as being the default expectation, with any future application requiring a full consultation process and demonstrable evidence that continued access via Starlink remains as the only viable option for specific locations.
- 25 INCA contends that this safeguard is essential to prevent the emergence of an irreversible reliance on an overseas-controlled operator not directly subject to UK infrastructure security frameworks.
- 26 The temporary nature of the licence must not be undermined by infrastructure or policy inertia. INCA urges Ofcom to commit to enforceable sunset clauses in this proposed temporary licence and future ones.

8 Conclusion

- 27 INCA supports Ofcom's proposal to grant temporary licences to Starlink Services LLC to deliver high capacity and low latency satellite-based broadband services at the three identified NGSO gateways, but only within a policy framework which does not curtail terrestrial services in the UK.
- 28 This policy framework must:
- Ensure LEO platforms are used solely in locations where no terrestrial alternative exists
 - Apply full regulatory parity between LEO operators and UK ISPs
 - Prevent LEO platforms from undermining investment in UK digital infrastructure networks
 - Establish clear national security protections
 - Include binding safeguards to prevent the entrenchment of temporary arrangements into the UK's long-term connectivity landscape.
- 29 INCA would be pleased to work with Ofcom to develop this, to ensure that satellite technologies are integrated responsibly and strategically into the UK's digital connectivity future. INCA maintains that Starlink and other LEO platforms can perform an important role in developing the digital connectivity ecosystem in the UK, but it must not be used to destabilise existing digital infrastructure.