



**INCA's response to the  
Government's consultation on  
Statement of Strategic Priorities for  
telecommunications, the  
management of radio spectrum,  
and postal services.**



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## 1 Executive Summary

- 1 The Independent Networks Cooperative Association (INCA) is pleased to respond to the Government's consultation on its Statement of Strategic Priorities (SSP) for Ofcom in the telecoms sector.
- 2 INCA welcomes DSIT's draft Statement of Strategic Priorities (SSP) and strongly supports its clear and directive approach. The 2019 SSP, while important in setting the direction of travel, was often too high-level to guide Ofcom decisively. This new draft SSP takes a significant step forward by providing Ofcom with firm and specific instructions, especially on safeguarding infrastructure competition and ensuring that regulation delivers sustainable investment.
- 3 We believe this clarity is essential. A more prescriptive SSP is in the interests of consumers, the economy and competition. INCA considers the approach taken by Ministers and DSIT to be the right one, striking a balance that reflects trust in the UK's independent networks sector and reinforces the value of public investment through Project Gigabit. It is a model that supports the growth of competitive infrastructure while ensuring that communities across the country benefit from improved connectivity
- 4 The SSP also mirrors the draft Telecoms Access Review (TAR) in both tone and substance. Government and regulator are working in lock-step to protect competition, promote full-fibre investment, and ensure a level playing field. This alignment is exactly what the sector needs to maintain investor confidence and to deliver on the long-term benefits of **infrastructure competition**.
- 5 INCA and its members endorse the SSP as drafted. We believe the key elements of the SSP will enable our members to drive forward the government's economic growth mission but also the missions to ensure working people are ready and equipped with the tools for modern living. Our submission therefore focuses not on questioning DSIT's approach, but on ensuring Ofcom interprets and implements it consistently and robustly.

## 2 About INCA

- 6 INCA Members are supporting, planning, building and operating sustainable, independent and interconnected networks that advance the economic and social development of the communities they serve and permit the provision of applications and services through open competition, innovation and diversity. We are working together to create cohesive interconnected next generation networks.

## 3 Introduction

- 7 Although this consultation also covers the postal sector, INCA is responding only to the parts that are relevant to its membership.
- 8 INCA started working with the Government in the summer of 2024 to communicate both priorities for the new SSP and INCA and its members' experiences from the period covered by the current SSP. As the current SSP is the first of its kind, INCA considers it important that Government takes a careful look at how it impacted the market and how it was implemented by Ofcom.
- 9 The relevant legislation<sup>1</sup> requires that Ofcom "have regard to" the SSP and the time since the introduction of the current SSP has provided insight into how Ofcom has complied with that duty. This can inform how Government can ensure that the new SSP has the impact desired by Government.

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<sup>1</sup> Section 2B of the Communications Act 2003.

### 3.1 Background and context

- 10 The importance of consistent Government support of the enormous levels of private investment in competing full-fibre network cannot be overstated, and INCA strongly welcomes that the draft SSP reconfirms the Government's commitment to investment in new gigabit capable network and to **infrastructure competition**.
- 11 Promotion of full-fibre investment has been one of the biggest Government success stories in recent years, but there is still a considerable amount of work to do to ensure that this large investment will deliver the long-term sustainable competition that will benefit consumers across the country.
- 12 INCA's members are effectively the product of Government policy. Their longevity and the level of economic growth they can deliver to the benefit of the UK economy and consumers depend on continuity in Government policy and, very importantly, the execution of that policy by Ofcom.
- 13 In recent years, the experience has been that Ofcom has occasionally implemented the letter but not the spirit of Government policy. This is particularly the case for the promotion of competitive network investment in non-urban locations, where Ofcom has expressed a clear and unambiguous policy of supporting Openreach investment and of not supporting Altnet investment. This is why the SSP is so important to Altnets. The content of the SSP, and the manner in which Government can hold Ofcom accountable against it, could be existential to long-term **infrastructure competition** in the UK telecoms sector.

## 4 Experience from the current SSP

- 14 The current (and first) SSP was introduced in 2019. INCA was very supportive of the SSP and its content and worked with the Government in identifying issues to include. We support DSIT in seeking greater transparency on how Ofcom has regard to the SSP. To complement the material included in Ofcom's Annual Report and Accounts, INCA suggests a short, standalone annual SSP implementation note from Ofcom that sets out, at a high level, where priorities have been engaged and how any duty-balancing has been applied.
- 15 INCA has observed that Ofcom makes a mention of the SSP in most of its decisions, typically stating that Ofcom has regard to the SSP and that

Ofcom considers the decision to be consistent with the SSP. Those sections, however, provide no details of which parts of the SSP Ofcom has had regard to, nor in which way Ofcom has had regard and why Ofcom considers the decisions to be consistent with the SSP.

#### 4.1 Increased reporting and transparency from Ofcom

**16** INCA has communicated those observations to Government and hopes that Government will seek to ensure greater transparency and accountability on the part of Ofcom and how Ofcom has regard to the SSP. INCA has specifically requested that Government enforce the annual reporting requirement already included in the relevant legislation and that Government clarify the level of transparency required from Ofcom in its individual decisions as regards to how the SSP has been taken into account.

#### 4.2 Style and tone of the SSP

**17** INCA welcomes the introduction of a much more directive tone in the draft SSP. INCA believes **infrastructure competition** has played a critical role in accelerating the rollout of gigabit broadband across the UK, driving innovation and levelling up access in areas that have historically been underserved. Altnets play a key role in driving a fair and open market, and we applaud the government in its mission to use this to further entrench greater economic productivity, regional growth, and the delivery of modern public services. This approach aligns closely with the Government's mission to secure sustained economic growth, empower communities, and modernise Britain's infrastructure for the long term.

**18** INCA fully understands that Ofcom is an independent regulator, and INCA considers that independence to be critical. INCA also understands that Ofcom may, from time to time, have valid reasons for making decisions that (on their face) may appear to be contrary to the SSP provisions. We recognise Ofcom must balance multiple statutory duties. Where Ofcom judges that certain priorities should prevail in a given case, it would help confidence and accountability if Ofcom set out that balancing transparently, including how it has had regard to the SSP in reaching its decision.

## 5 Strategic Priority 1: Driving growth through worldclass fixed and wireless digital infrastructure

**19** INCA strongly welcomes the Government's provisions in this section of the SSP. We particularly welcome that this SSP is more directive than the 2019 version, which was often too high-level to guide Ofcom decisively. The new SSP gives Ofcom clear and specific instructions, ensuring that sustainable **infrastructure competition** can be embedded across as much of the UK as possible while still safeguarding consumers and preserving service competition. This clarity is vital: Openreach and others may seek to dilute the language, but INCA believes DSIT is right to be directive and Ofcom must take this as a firm mandate.

### 5.1 Focus on infrastructure competition

**20** We welcome that section 1a of the SSP makes clear that Government intends to prioritise **infrastructure competition**. To ensure Ofcom interprets this consistently, it may be helpful to underline explicitly that references to competition mean **infrastructure competition**, while preserving service competition where appropriate. This would avoid ambiguity and ensure Ofcom implements Government's intent without risk of misinterpretation.

### 5.2 Presumption of prevention of potential harm

**21** INCA strongly supports Government's direction that Ofcom should take prompt steps to remedy actions or behaviour that could undermine **infrastructure competition**. The SSP is right to recognise that Openreach benefits from scale and scope advantages which give it both the ability and the incentive to act in ways that may deter sustainable competition.

**22** To deliver this intent, Ofcom should intervene early where there is a risk of harm, not only where harm has already been proven. The experience of the Equinox and Equinox 2 discount schemes illustrates the danger of delay: despite deep concerns from Altnets and investors that these offers would deter large ISPs from using Altnet networks and drive down retail prices to unsustainable levels, Ofcom chose not to act. This has reinforced the perception that Ofcom sets the threshold for intervention too high. The SSP's instruction for prompt action is therefore essential and should

be interpreted by Ofcom as a mandate to err on the side of caution in order to protect **infrastructure competition**.

### 5.3 Allowing time for embedded sustainable infrastructure competition

23 INCA strongly supports the Government's explicit recognition that the building networks is just the first (and very high cost) step in developing and embedding **infrastructure competition**. Building take up, minimum viable scale and eventually becoming sufficiently established in the market to be able to compete head-on with and unregulated incumbent is a journey that will likely take more than the five years of the forthcoming Telecoms Access Review (TAR), but would at a minimum require regulatory intervention for that period.

24 INCA's members are delivering benefits to end consumers today, through lower prices, no inflation-linked price rises, flexible contract terms and many other aspects of their service offerings. INCA agrees fully with Government that Ofcom should not focus on short term price reductions to end users, those benefits are being delivered and will continue to be delivered through sustainable **infrastructure competition**. Only **infrastructure competition** can deliver the economic growth and long-term consumer benefits sought by Government. Price reductions imposed through regulation simply embed the need for regulatory intervention and further embeds an incumbent with reduced competitive pressure and reduced incentives to innovate and assist economic growth.

### 5.4 Enabling economic growth through better business connectivity – urban and rural

25 Government has, rightly, identified that Ofcom must make sure it delivers affordable and modern connectivity for businesses across the country. INCA is concerned that Ofcom's TAR proposals consign businesses (in particularly those in rural areas) to 2<sup>nd</sup> class services by explicitly stating that Ofcom proposes to not promote any form of network build to deliver improved rural business connectivity. Many farms (to mention just one obvious type of businesses located in rural) areas are now sophisticated businesses, relying extensively on both fixed and mobile connectivity, and INCA is aware of many locations where the connectivity is extremely poor. Many of INCA's members focus on rural

connectivity, but Ofcom's TAR proposals are a direct disincentive for those operators to deploy network in areas where the existing Openreach network is often especially poor.

## 5.5 Universal service

**26** As set out above for rural businesses, Many of INCA's members focus on delivering connectivity to rural and sometimes hard-to-reach locations. INCA considers that Government is right in identifying that **infrastructure competition** can reduce the reliance of universal service provision. In locations Ofcom designates as Area 3, INCA encourage a remedies balance that supports the SSP's pro-competition intent. Where Ofcom's evidence suggests limited prospects for infrastructure competition, the remedy mix (including PIA pricing signals and LLA scope) should avoid discouraging efficient entry at the margin and should not default to Ofcom's assumption that Openreach is the only viable investor.

### 5.5.1 Universal access

**27** INCA agrees that competition will deliver consumer benefits, including lower prices in due course. The Government's proposal that Ofcom should seek to ensure that consumers are not paying excessive prices in areas with only one network INCA read DSIT's reference to "excessive prices" in single-network areas as a safeguard intent rather than a call for national price caps. In practice, cost-reflective differences between areas will persist, and some higher-cost localities may legitimately see higher prices. We therefore suggest the SSP clarifies that any intervention should be evidence-based, proportionate, and consistent with Ofcom's powers and market-power findings.

**28** INCA has highlighted the risk to Ofcom that, in locations that may only be able to support a single gigabit capable network, Ofcom's current proposals allow Openreach to reduce its FTTC prices locally to deter take-up of gigabit capable services. INCA is, therefore, concerned that the Government's proposal for the introduction of a maximum price level in single network locations could cause real harm if taken out of context. INCA is, further, not clear which powers Ofcom would have to impose such a price restriction.

## 5.6 Infrastructure Sharing

### 5.6.1 PIA non-discrimination

29 INCA welcomes Government's focus on PIA as the cornerstone of UK **infrastructure competition**. While PIA has improved significantly since 2018, important differences remain between how Openreach and Altnets can use the infrastructure. We encourage Ofcom to use the SSP's mandate for transparency to move core parts of PIA towards **equivalence of inputs** on a clear timetable, ensuring a level playing field.

30 Despite those improvements, there are still material differences between how Openreach itself can use its physical infrastructure (PI) and how PIA users can use that same PI. Those many differences, when seen cumulatively, result in material competitive advantages for Openreach (and its downstream retail and wholesale CPs). Whilst Ofcom has resisted calls for the introduction of 'equivalence of inputs' (EoI) for PIA, it stated in the last market review (the wholesale fixed telecoms market review – WFTMR) that it required Openreach to offer services on an equivalent basis however possible, when improving existing or developing new systems or processes for internal or external PI use. Ofcom has, however, never enforced that provision and INCA asks that Government ensure that the SSP is as clear and unambiguous on the requirement for a transition to EoI for the PIA product.

31 INCA understands that, at this stage when the majority of new network deployment has been completed, it is not likely to be net beneficial to force a move to full EoI for PIA, but INCA asks that Government require Ofcom to ensure that all parts of the PIA that are central to the ongoing consumption and management of PIA are moved across to EoI on a transparent and predictable timetable.

### 5.6.2 The Openreach Monitoring Unit (OMU)

32 INCA welcomes the focus in the SSP on the transparency of the OMU (Openreach Monitoring Unit) and the requirement for Ofcom to take quick and decisive action to remedy non-compliance by Openreach.

33 Further, INCA is concerned that the part of Ofcom responsible for monitoring Openreach's compliance with regulatory requirements, including for PIA does not operate on a transparent basis and that when concerns are raised with Ofcom and the OMU, the rationale for

Ofcom/OMU having never once so far found for the complainant are not set out clearly and transparently.

#### 5.6.3 PIA pricing

34 INCA strongly welcomes Government's requirement that Ofcom be more transparent in how it calculates and sets PIA prices. The requirement for Ofcom to use industry evidence for assessing PIA costs and setting PIA prices is very welcome and would help both to improve understanding by Altnets of how the prices are set and also to create confidence that the prices paid to Openreach are based on fair and reasonable costs (INCA has highlighted a number of areas in PIOA cost calculations where it considers Ofcom's approach to be either in error or not sufficiently transparent) that the prices do not unfairly favour Openreach or indeed any particular group of PIA users.

35 INCA has made detailed submissions to Ofcom on the subject of PIA costs and prices as part of its TAR submissions. Those submissions have been shared with Government.

#### 5.6.4 PIA longevity

36 The nature of the current regulatory framework means that regulated access of any form is set for the period covered by the review. For the TAR, which is a 5-year period. INCA understands that it is not possible for Government or Ofcom at this time to 'guarantee long-term access to the PIA product, but INCA would encourage Government to require that Ofcom provide as much indication of long-term stability of the PIA product as possible.

#### 5.6.5 Wider infrastructure sharing

37 INCA welcomes Government's framework to support voluntary commercial infrastructure sharing. It is important, however, that this remains proportionate and does not extend to mandating access to Altnet-built infrastructure, which would undermine willingness to invest.

38 It is, however, important that there is a clear distinction between promoting commercial and voluntary infrastructure sharing and any perception of a move toward mandatory access to new PI that has been deployed using recent high-risk investment. INCA is actively supporting infrastructure sharing and will release a framework in the next week. We would note that there is already a baseline of symmetric obligations (e.g.

ATI Regulations and ECC). INCA asks are twofold: first, that DSIT/Ofcom review the practical efficacy of the ATI regime for smaller operators; and second, that the SSP clarifies any sharing encouragements should not morph into de facto mandatory access to newly built Altnet Physical Infrastructure, which would chill investment.

**39** The reality is that the vast majority of Altnet network deployment uses Openreach PIA and Altnets, therefore, have only very limited and patchy PI themselves. INCA does not consider it would be proportionate or indeed useful to move towards mandating access to that PI. On the contrary, INCA would expect a significant reduction in willingness to invest in Altnet networks if the PI deployed would immediately be subject to mandatory access provisions.

## 5.7 Modernisation of networks

**40** Government has rightly highlighted the modernisation of networks as an areas for concern. Modernisation of networks covers three separate but inter-related activities:

- Moving from PSTN to IP-based services,
- Closing of more than 80% of Openreach's exchanges, and
- Removal of copper from the network

**41** Each of these activities have potential impacts on retail end-users, Retail CPs and network competitors. Ofcom's focus has to date almost entirely been on the protection of vulnerable end-users and prevention of harm in the retail market (harm to retail CPs that use the Openreach network), with very limited focus on any potential harm to **infrastructure competition**.

**42** INCA welcomes the SSP's recognition that Ofcom must protect competition during this transition, not only protect retail consumers. Explicit reference to **infrastructure competition** in this context would ensure Ofcom balances consumer protection with the need to prevent market foreclosure.

**43** INCA is very concerned that, left unrestricted, Openreach could solidify its network market dominance through the network modernisation processes. INCA strongly encourages Government to require Ofcom to focus on prevention of harm to **infrastructure competition**. INCA notes that the draft SSP refers to 'impact on wholesale competition' and would

encourage Government to clarify that statement to explicitly refer to **infrastructure competition**. This is important because the harm to **infrastructure competition** would cause harm to both of the retail and wholesale downstream markets.

#### 5.7.1 Consumer information when moving from copper to fibre

**44** INCA strongly welcomes Government's inclusion of a requirement for Ofcom to find a means of ensuring that end-users moving from copper to fibre are provided with information about other network and retail suppliers available to them at that important switching moment. Once an end-user has moved from copper to fibre they are much less likely to move to a different fibre network, so the copper to fibre switching process is a critical point for Altnets to seek to win customers to their networks. Given the incumbency of Openreach as the copper network provider and the Openreach-based retail ISP as the retail service provider, Altnets do not have an equal opportunity to attract end-users to their networks.

#### 5.7.2 Supporting gigabit take-up

**45** INCA supports the Government's recognition of supporting take-up of gigabit-capable services and encourages Government to ensure that Ofcom monitors differences in and causes for differences in take-up of gigabit-capable services on the Openreach network and on Altnet networks.

**46** INCA also supports Government's call for Ofcom to support greater use of consistent terminology between providers. INCA was disappointed at Ofcom's very late and largely ineffectual decision on this regard in December 2023.

**47** INCA sees value in DSIT signalling now that the post-2030 framework should harness the gains delivered by network competition. That forward look could

- a. explore 'growth-supporting, innovative' regulation that builds on multi-service networks,
- b. recognise the foundational role of PIA and exchange-access products on an enduring basis, and
- c. consider coordinated demand- and supply-side levers (e.g. gigabit take-up, improved information assets such as NUAR) to maximise the sector's contribution to productivity and growth

## 6 Strategic Priority 2: Driving growth through maximising access to spectrum

- 48 Whilst the majority of INCA's members focus on fibre network deployment, a significant proportion is also using wireless access technologies to reach consumers. This is particularly relevant for the harder to reach premises.
- 49 INCA supports the Government's proposals for spectrum management and calls for Government to ensure Ofcom delivers on shared spectrum expansion and accelerate automation to benefit smaller operators and consider additional shared bands to enable rural and enterprise 5G use cases.
- 50 Government should also encourage Ofcom to accelerate the automation of licence management. Faster, more streamlined licensing will directly reduce barriers to market entry and shorten deployment timelines, giving operators the certainty they need to plan, invest and expand into harder-to-reach areas. This is a simple but important step to ensure spectrum policy supports the same investment and competition goals that underpin the SSP as a whole.

## 7 Strategic Priority 3: Supporting growth through a transparent, competitive and fair retail market

51 INCA and its members believe that sustainable competition is the best way to protect consumer interests in the long term. Whilst INCA acknowledges that Ofcom has a critical duty to protect consumer interests and that specific consumer protection measures are necessary in some areas, INCA urges caution for Government's support of Ofcom's shift towards consumer-focused interventions.

52 The consumer-focused interventions often cause significant increases in costs to covers process and systems developments for providers. To emerging competitors, already struggling to compete against Openreach and the large, branded retail ISPs, these additional cost (which are typically not proportionate to the size of the provider) significantly weakens the investment proposition. A likelihood of continued introduction of new consumer-focused interventions by Ofcom is likely to reduce the willingness to invest in competing networks in the UK.

53 INCA's cautionary note in relation to a continued focus on consumer-specific interventions does not mean that INCA does not believe in delivering consumer benefits. There is significant evidence of the real benefits to consumer from sustainable competition and INCA believes that Ofcom's primary objective must be to deliver those benefits. Any direct intervention required should be to address issues that can perhaps not be addressed by competition (such as facilitating switching – which also supports the development of sustainable competition).

54 INCA supports proportionate, outcomes-focused consumer protection. For emerging providers, regulatory friction often lies in implementation timetables and administrative overhead rather than the outcomes themselves. We therefore suggest Ofcom:

- a. uses proportionate implementation periods that reflect provider scale and capability;  
publishes practical, "what good looks like" guidance co-designed with smaller providers; and
- b. consults on impact and costs ex ante (and reviews them ex post) so protections remain effective and proportionate.

This approach protects consumers without creating unintended barriers to entry and growth.

- 55 INCA supports steps by Ofcom to increase consumer confidence in fibre but is not certain that reports about compliance with regulatory measures will be effective means of achieving that. INCA considers that Ofcom should actively seek to involve smaller providers (or their trade associations) in any initiatives it takes, such as for example promotion of women in the sector. Ofcom has a history of entering into such initiatives with the large operators but not proactively including smaller operators or their representatives.
- 56 INCA strongly supports the Government's digital inclusion initiatives. INCA's members are delivering connectivity and support to local communities as part of their standard business models and INCA would welcome a form of recognition of those activities. INCA would welcome the opportunity to work with Government and Ofcom to develop digital inclusion accreditation or other such forms of recognition.
- 57 INCA supports the Government's requirement for Ofcom to perform impact and cost-benefit assessments of regulatory interventions.

## 7.1 Vulnerable consumers

- 58 INCA support's the Government's and Ofcom's work to protect vulnerable consumers. INCA also supports the desirability of consistency in approach to definition and treatment of vulnerable consumers, but INCA is concerned that Ofcom's definition of vulnerability is very context-specific, and it is extremely complex for providers (especially small providers) to navigate. That said, INCA is also conscious that there are valid reasons why definitions of vulnerability differ between sectors, such as water, energy and telecoms. INCA will work with Government and Ofcom to develop a proportionate and manageable approach to the definition and support of vulnerable consumers.

## 8 Strategic Priority 4: Maximising opportunities for growth through secure and resilient telecoms infrastructure

- 59 INCA supports the Government's focus on secure and resilient networks and Ofcom's role in the monitoring of compliance with the Telecoms Security Act (TSA). INCA is, however concerned that neither Government nor Ofcom have attempted to provide any form of guidance to support compliance with the TSA (and its regulations and the code of practice – which is strictly only applicable to Tier 1 and 2 providers) for Tier 3 providers.
- 60 Many Tier 3 providers are very uncertain about how to interpret the proportionality principles of the TSA and there is no guidance at all in this context. Whilst it is clearly important that the large providers are compliant, it is also important that smaller, and growing, providers have a clear understanding of their current and future compliance obligations.
- 61 Many smaller providers are suppliers to the large providers, and the large providers 'cascade' their TSA requirements to these smaller providers as part of their supply chain compliance requirements. This is, however, being done individually by each large provider, and small providers are faced with the potential for multiple interpretations of their compliance requirements in order to continue supplying to the large providers. This is an area where INCA believes that Ofcom (potentially through the OTA2) could add real value and support to the Government's overall compliance requirements.
- 62 With regards to power resilience, INCA agrees this is important, but wishes to add a note of caution. Telecoms providers can only provide power resilience to the extent that this is available (on reasonable terms) from the power companies.

## 9 Application of the ‘fair bet’ principle

63 INCA has noted that the draft SSP is silent on the subject of application of the **‘fair bet’** principle. In the SSP, the Government makes it clear that investors in UK infrastructure should all benefit from a **‘fair bet’** to recover that investment, and INCA considers this to be a very important principle and one which will have encouraged investment in Altnets since the SSP was introduced in 2019.

64 INCA asks that Government give careful consideration to the inclusion of a section setting out that Ofcom’s regulatory interventions must not favour one potential investor or competitor over another, and thus not giving them both a **‘fair bet’** to recover that investment.

65 This is not a request to confer SMP-style protections on non-SMP firms; rather, it is a policy steer that Ofcom’s remedy design should avoid favouring one class of investor over another where that would undermine the SSP’s growth and competition objectives—especially in Area 3. Clarifying this will support investment decisions and reduce perceived policy risk.

66 This principle is particularly important when considering Ofcom’s proposed regulation in what it terms ‘the ‘Area 3’ geographic markets of both the Wholesale Local Access (WLA) market and the Leased Lines Access (LLA) market. In those geographic markets, Ofcom is openly proposing to favour any investment by Openreach over investment by an Altnet. Ofcom specifically articulates its regulatory objective for those markets to be to promote investment by Openreach. Ofcom then proceeds to propose regulatory remedies that would enable Openreach to abuse its dominant position to the direct detriment of any Altnet investor in those areas. INCA considers this to be in direct conflict with the application of the **‘fair bet’** principle to investors in UK telecoms infrastructure, and unless addressed it will significantly reduce the willingness and ability of Altnets to invest in Area 3.

67 INCA recognises that Ofcom uses the term **‘fair bet’** in a specific regulatory context. In this instance, it refers to Openreach being given the opportunity to recover its efficiently incurred costs, while also retaining any profits generated through efficiency gains that exceed those anticipated in Ofcom’s cost modelling for regulated products. The fact that this concept is applied by Ofcom to Openreach only (as the regulated provider) should not preclude the application of the general **‘fair bet’**

principle to all investors in UK telecoms infrastructure. Government could choose to use a different term for the general '**fair bet**' principle, if that would address any perceived confusion or conflict and clarify for Ofcom what Government's intention is.

## 10 Conclusion

- 68 Once again, INCA supports the Government's refreshed SSP. The revised SSP is a marked improvement on the 2019 version, one that provides clarity and the accountability needed to ensure that Ofcom delivers against the Government's long-term objectives.
- 69 The success of the UK's full-fibre rollout, and the lasting benefits it offers to consumers and the British economy, will depend on Ofcom's consistent and transparent implementation of these strategic priorities. Infrastructure competition must remain central to Ofcom's approach, not only to unlock continued private investment, but also to deliver the innovation, and regional growth that are central to the Government's wider missions.
- 70 INCA would like to see the Government ensure that Ofcom is held accountable for the full and proper delivery of the SSP. In particular, we call for:
  - a. Clear annual reporting mechanism on SSP implementation
  - b. Greater transparency in Ofcom's decision making
  - c. Core parts of PIA towards equivalence of inputs on a clear timetable, ensuring a level playing field.