

Reference: 01837373

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

15 July 2024

## Freedom of Information request: Right to know request

Thank you for your request concerning the size of the UK Ethernet Market.

We received this request on 12 June 2024. We sought clarification of your request on 9 July 2024, in which we asked the years your request related to, and you replied on 11 July 2024. We have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

### Your request

---

*".....and wondered if you had some information of the size of the UK ethernet market in £ or indeed volume of EAD/EBD/OSAs being ordered per year please?"*

Clarified as

*".....can you confirm the latest data you have please? So 2023 would be ideal but if not 2022."*

### Our response

---

We do not hold any information on the size of UK ethernet market and EAD/EBD/OSAs for both 2022 and 2023.

We hold some information collected in 2019 that we used in the [WFTMR 2021-2026 Statement](#) which we referred you to in our previous correspondence. However, we consider that all that information that is not published already would be exempt from disclosure under the FOI Act as this information relates to business still carrying on. In particular, section 44(1)(a) of the FOI Act exempts disclosure of information if its disclosure is prohibited by other legislation. Section 393 of the Communications Act 2003 (the Communications Act) prohibits the disclosure of information about a particular business which has been obtained in exercise of a power conferred by, among other legislation, the Communications Act, so long as that business continues to be carried on, unless we have the consent of that business or one of the statutory gateways under section 393(2) of the Act is met – none of the disclosure gateways would apply to this FOI request. Section 44 of the FOI Act is an absolute exemption and therefore is not subject to a public interest test.

We consider that other FOI exemptions may also apply such as sections 43 and 41 of the FOI Act – you can find further information on these exemptions on the Information Commissioner's Office: [Section 43 - Commercial interests](#) and [information-provided-in-confidence-section-41.pdf](#).

If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk) – quoting the reference number above in any future communications.

Yours sincerely,

## Information Requests

### **Request an internal review**

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress. Please email the Information Requests team ([information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)) to request an internal review.

### **Taking it further**

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).