

Consultation response form

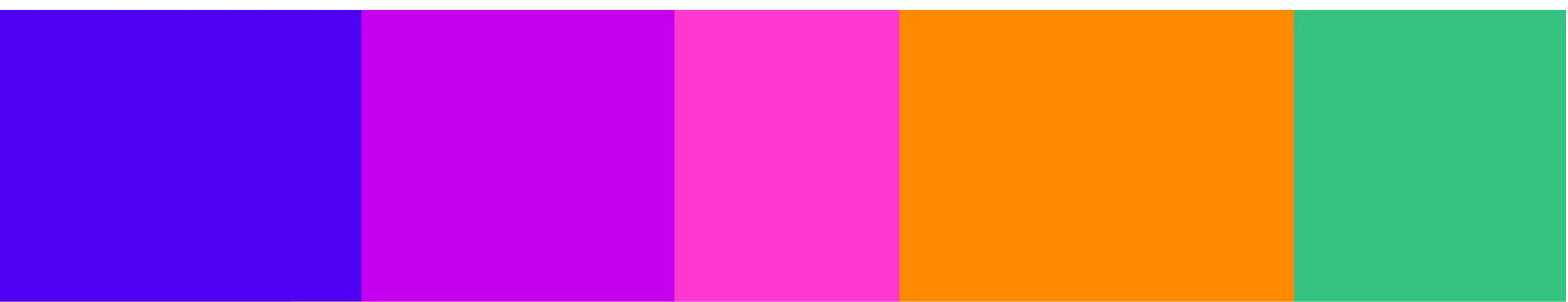
Please complete this form in full and return to tar2026consultation.responses@ofcom.org.uk.

Consultation title	Consultation: Promoting competition and investment in fibre networks: Telecoms Access Review 2026-31
Representing (delete as appropriate)	Organisation
Organisation name	techUK

Confidentiality

We ask for your contact details along with your response so that we can engage with you on this consultation. For further information about how Ofcom handles your personal information and your corresponding rights, see [Ofcom's General Privacy Statement](#).

Your details: We will keep your contact number and email address confidential. Is there anything else you want to keep confidential? Delete as appropriate.	Your name
Your response: Please indicate how much of your response you want to keep confidential. Delete as appropriate.	None
For confidential responses, can Ofcom publish a reference to the contents of your response?	Yes



Your response

techUK welcomes the opportunity to respond to the Telecoms Access Review (TAR) 2026-31. As the UK's technology trade association, our membership incorporates many different segments of the fixed telecoms market. This response provides a broad overview of their opinions, but we wish to note that individual member responses will highlight any specific areas of both support and contention in more detail, based on their own specific business models.

The telecommunications sector is central to the Government's growth agenda across consumers, businesses, and key sectors including housing, AI, datacentres, IoT services and smart energy. The regulatory framework must deliver competitive, resilient, and future-proof digital infrastructure that is absolutely crucial to a thriving UK economy.

This is an extremely important market review period. Significant investment has occurred based on regulatory certainty provided since 2016, enabling extensive fibre rollout with full fibre networks reaching 69% of premises and gigabit-capable networks reaching 83% by July 2024. This represents huge progress building strong foundations for future digital economy growth.

Members have been broadly supportive of Ofcom's regulatory approach, which has stimulated significant competition in fixed networks. Some concerns do exist around certain emerging market dynamics. Take-up of fibre services needs to be higher for many new network providers to secure sustainable customer bases, though lower rates may reflect natural competitive dynamics where some business models prove more viable. There are issues around overbuild combined with intense price competition.

Market consolidation is likely to occur as the sector matures. Enabling the right regulatory framework will be essential for maintaining a sustainable competitive environment and will allow appropriate deregulation in the future as maturity in the various markets develop. Regulatory certainty has a significant impact on investor confidence in future UK telecoms infrastructure investment cycles. Clear and predictable policy frameworks that support fair competition provide the foundation for sustained investment, rather than intervention in natural market processes.

Overall, the majority of engaged members believe Ofcom's proposals, which broadly maintains the existing regulatory framework, represents the correct approach. The primary area of contention relates to Ofcom's geographic boundary definitions, particularly the treatment of Areas 2 and 3, and the implications this may have, with a particular reference to rural connectivity competition. These specific concerns will be raised individually by certain members.

Overall, in the WLA market, TAR provides suitable timescales for providers to execute customer acquisition strategies and allow competition to bed in broadly. Stability should provide investor confidence and enable staged market development, allowing competitive forces to determine long-term structure.

A key transition element will be copper network retirement, requiring careful management to ensure smooth migration across all areas, including rural regions facing economic challenges. Ofcom should maintain its supportive approach to copper retirement, as delays frustrate sector development, while ensuring orderly transitions protecting consumers and businesses.

More broadly, techUK looks to Ofcom for support in tackling connectivity barriers beyond just regulatory mechanisms. While the regulatory framework provides welcome certainty, numerous challenges remain requiring coordinated action between industry, Ofcom, Government and local authorities to remove deployment obstacles. Without this coordinated vision, the UK risks falling behind

international competitors in developing robust digital infrastructure supporting economic growth, innovation, and resilience.

In summary, techUK members broadly support Ofcom's proposed regulatory approach for the 2026-31 period. While some concerns persist, particularly around geographic definitions, the majority view is that the proposed framework will fibre take-up, help entrench deeper competition and will support the UK's digital ambitions.

Question	Your response
Question 2.1: Do you agree with our provisional conclusion on physical infrastructure product market definition? Please set out your reasons and supporting evidence for your response.	We agree. Additional monitoring to ensure competitive access is practical, particularly for emerging market players, should be considered.
Question 2.2: Do you agree with our provisional conclusion on physical infrastructure geographic market definition? Please set out your reasons and supporting evidence.	We agree with Ofcom's conclusion that the market is national. Access to physical infrastructure remains highly centralised, with no viable alternatives nationally. This reality limits the practicality of competing infrastructure platforms, reinforcing the view that a single, regulated wholesale offering continues to underpin market access. As such, we support Ofcom's conclusion that a national geographic market definition remains appropriate at this stage.
Question 2.3: Do you agree with our provisional conclusion on the application of the three criteria test to the physical infrastructure market? Please set out your reasons and supporting evidence for your response.	We agree.
Question 2.4: Do you agree with our provisional finding on SMP in the physical infrastructure market? Please set out your reasons and supporting evidence for your response.	We concur with the SMP in the PIA market and that Openreach should continue to offer its PIA products to all network operators. Continued regulatory oversight is necessary to ensure that there are no strategic bottlenecks, particularly in rural build scenarios. Some members noted that Openreach's market position could evolve over time depending on the ability of competitors to secure and scale sustainable ISP relationships. This dynamic should be monitored as a potential factor in future assessments.

Question	Your response
Question 2.5: Do you agree with our provisional conclusions on geographic market definition for the wholesale local access market? Please set out your reasons and supporting evidence for your response.	While techUK supports the principle of categorising markets to apply proportionate regulation, some members have expressed concerns about Ofcom's proposal to extend Area 2 to cover 90% of UK premises. Members held differing views on the timing and approach to deregulation - some expressed concern that deregulation could be premature, while others argued that unnecessary delays could prolong consolidation and that Ofcom should focus on establishing the optimal long-term framework to support a smaller number of more sustainably competitive operators. A particular concern raised by certain members relates to the impact of area classifications on rural investment. With 45% of rural premises still lacking access to FTTP, continued investment in fibre rollout remains essential in these areas. These members emphasise that regulatory frameworks should support continued investment by all efficient operators capable of serving these challenging areas. Some members also noted that fibre coverage does not necessarily equal real consumer access based on take-up rates, as evidenced by the significant variance shown in Connected Nations data despite coverage achievements. More analysis is needed to understand the costs and dynamics of delivering services in different areas to ensure that regulatory decisions are well-informed and support sustainable market development. There was broad agreement that any regulatory changes should reflect actual competitive conditions as they develop, while maintaining the investment certainty that has supported substantial infrastructure deployment to date.
Question 2.8: Do you agree with our provisional findings on SMP in the wholesale local access market? Please set out your reasons and supporting evidence for your response.	We agree with the provisional findings on SMP in the WLA market.
Question 2.9: Do you agree with our provisional conclusions on product market definition for leased lines?	Consumers of Leased Line products often have particular requirements related to diversity of circuit routing, network security, dedicated capacity and service wrap that

Question	Your response
Please set out your reasons and supporting evidence.	cannot be delivered over networks designed for consumer fibre. While XGSPON is a welcome product, offering a higher spec service that will meet some customers' needs, it is not an effective competitive constraint on leased lines, and this should be reflected in Ofcom's market definition.
Question 2.10: Do you agree with our provisional conclusions on geographic market definition for the leased line access market? Please set out your reasons and supporting evidence.	We support Ofcom's overall direction. Ensuring access to business-grade connectivity across all regions is essential to avoiding a digital divide and enabling firms to compete effectively, both nationally and globally. The combination of commercial offerings and extended regulated availability will help address current coverage gaps and enable the rollout of high-capacity services. While some members note growing infrastructure presence, effective competition in business markets still varies significantly by geography and customer type. On that basis, a carefully calibrated geographic market definition remains appropriate. Members disagreed on the full scope of Ofcom's definition of competition, with some arguing that Ofcom is too reliant the presence of competing networks without considering other factors such as scale and embeddedness in defining the Central London Area, whilst others supported the current vision and indeed argued that Ofcom had not taken full account of the likely presence of competing infrastructure providers in setting the boundary between Areas 2 and 3.
Question 2.11: Do you agree with our provisional conclusion on the application of the three criteria test to the leased line access market? Please set out your reasons and supporting evidence for your response.	We agree with the provisional conclusions.
Question 2.12: Do you agree with our provisional findings on SMP in the leased line access market? Please set out your reasons and supporting evidence for your response.	We agree with the provisional findings. We also note Ofcom's role in supporting the development of effective competition, including through enabling consolidation where appropriate. Members welcomed Ofcom's clear and non-prescriptive stance on this issue, recognising it as a necessary and likely feature of a maturing market.

Question	Your response
Question 2.13: Do you agree with our provisional conclusions on product market definition for the inter-exchange connectivity market? Please set out your reasons and supporting evidence.	We agree with the provisional conclusions on product market definition for the inter-exchange connectivity market.
Question 2.14: Do you agree with our provisional conclusions on geographic market definition for the inter-exchange connectivity market? Please set out your reasons and supporting evidence.	We agree with Ofcom's provisional conclusions.
Question 2.15: Do you agree with our provisional conclusion on the application of the three criteria test to the wholesale inter-exchange connectivity market? Please set out your reasons and supporting evidence for your response.	We agree with Ofcom's assessment regarding the three criteria test to the wholesale inter-exchange connectivity market.
Question 3.1: Do you agree with our proposed approach to supporting copper retirement? Please set out your reasons and supporting evidence for your response.	Members strongly support copper retirement as a key enabler of the UK's fibre transition. Full fibre networks are more efficient, environmentally sustainable, and capable of supporting future connectivity needs. Some members observe that current sequencing proposals may not always produce the most efficient outcomes. These members suggest that consideration of existing alt-net infrastructure in exchange areas could help avoid unnecessary overbuild and support continued investment in fibre rollout. Some members have observed approaches in other markets, including recent BEREC analysis of European copper decommissioning practices, where regulators are exploring different mechanisms to balance consumer protection with more efficient transition processes. These members encourage Ofcom to consider whether lessons from these approaches might inform UK policy development.

Question	Your response
	Other members emphasise the importance of maintaining orderly transition processes that prioritise consumer protection. Some members suggested it would be good for Ofcom to consider more mechanisms being available prior to the next review period as well. There is broad consensus that consumer and business protections remain critical during any transition period, regardless of the specific implementation approach adopted.
Question 3.2: What are your views in relation to our initial thinking on how we might identify excluded premises? Please set out your reasons and supporting evidence for your response.	The identification of excluded premises must be approached with careful consideration of practical realities. Our members recommend that Ofcom develops a clear framework for identifying excluded premises that considers both the technical feasibility of fibre deployment and economic viability, without creating excessive administrative burden. The framework should incorporate key factors such as distance from existing infrastructure, geographical barriers, and household density, while providing consistent and efficient assessment criteria. This would be a more appropriate approach than relying purely on coverage statistics.
Question 3.3: Do you agree with our proposed approach to exchange exit? Please set out your reasons and supporting evidence for your response.	The approach to exchange exit requires careful consideration of diverse competitive dynamics. Members agree that consumers should be safeguarded through exchange exit, while noting that implementation should reflect the varied competitive landscape that has developed. Some members suggest that the framework could benefit from greater recognition of existing alt-net infrastructure in exchange areas. These members note instances where altnets may have achieved substantial FTTP coverage, and encourage Ofcom to consider how such coverage might inform implementation decisions. Members broadly support the current consumer protection approach provided it doesn't cause major disruption for consumers and service providers.
Question 3.4: Do you agree with our proposed general remedies? Please	We are broadly aligned with the remedies proposed by Ofcom as a factor or continued investment in competition within the market.

Question	Your response
set out your reasons and supporting evidence for your response.	
Question 3.5: Do you agree with our proposed specific remedies in the PIA market? Please set out your reasons and supporting evidence for your response.	Continued access is essential. However, usage frictions and delays in delivery must be tackled to ensure remedies translate into practical deployment capability.
Question 3.6: Do you agree with our proposed specific remedies in the WLA markets? Please set out your reasons and supporting evidence for your response.	While the proposed remedies appear balanced, techUK members caution that deregulation must be aligned with actual market outcomes, not just the theoretical availability of infrastructure, while ensuring that regulation does not artificially sustain unsustainable business models or impede natural competitive development.
Question 3.7: Do you agree with our proposed specific remedies in the LLA markets? Please set out your reasons and supporting evidence for your response.	We broadly support the direction of remedies in the leased lines market but encourage Ofcom to take a more nuanced view of competitive conditions, particularly in rural areas and for SME customers.
Question 3.9: Do you agree with our proposed approach to geographic discounts and other commercial terms? Please set out your reasons and supporting evidence for your response.	We saw general but not unanimous support for this approach, with the caveat that Ofcom should ensure its guidance reflects the increasing levels of competition in the market. The focus should be on protecting networks and competitive dynamics rather than protecting investors from market outcomes.

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