

Reference: 02291595

Information Requests
information.requests@ofcom.org.uk

15 October 2026

Dear,

Freedom of Information/Environment Information request: Right to know request

Thank you for your request for information concerning EXA Infrastructure UK Ltd.

We received this request on 28 September 2026 and we have considered your request under the Freedom of Information Act 2000 (the FOI Act) and the Environmental Information Regulations 2004 (the EIR).

Your request

"1. EXA's application for Electronic Communications Code powers

Please provide:

A. A copy of the application for Code powers submitted by EXA Infrastructure UK Ltd and received by Ofcom on or around 25th August 2026, including all attachments, appendices and supporting documents.

B. Any maps, plans, schedules, network diagrams, geographical information, route information or other material accompanying or subsequently supplied in support of that application.

C. Any material supplied by EXA describing:

- Existing UK network infrastructure;*
- Proposed or anticipated extensions to that infrastructure;*
- Future network deployment;*
- Geographical areas in which deployment is contemplated;*
- New routes, corridors, points of presence or network nodes;*
- Subsea landing stations and onward terrestrial connectivity;*
- Data-centre interconnection;*
- Private fibre builds;*
- Dark-fibre infrastructure;*
- Hyperscaler, cloud, AI or data-centre requirements; and*
- The intended use of Code powers in connection with any such deployment.*

D. Any further information, clarification or supplementary material requested by Ofcom from EXA following receipt of the application, together with EXA's recorded responses.

2. Geographic scope and South-West England / Devon

Please provide any recorded information held by Ofcom in connection with EXA's Code application or proposed UK network expansion which refers to any of the following:

- Torridge;
- Great Torrington;
- Alverdiscott;
- Alverdiscott Substation;
- hyperscalers;
- Xlinks or Xlinks 1 Limited;
- Valeon or Valeon AI;
- Devon Data Campus;
- Exus or Exus Digital; or
- I Squared Capital.

This part of the request is deliberately confined to information held in connection with EXA, its network, its Code application or prospective network deployment. It is not a general request for all Ofcom information containing those terms.

If no recorded information within this defined scope refers to any of these locations, companies or subjects, please confirm that.

3. Communications concerning the 2026 Code application

Please provide recorded correspondence between Ofcom and EXA Infrastructure UK Ltd, other EXA group companies, or persons acting on EXA's behalf concerning the 2026 Code application, from 1st January 2026 to the date of this request.

This should include, where held:

emails and substantive attachments;

- letters;
- records or minutes of meetings;
- records of substantive telephone or video calls;
- requests for clarification or additional information;
- responses to those requests; and
- correspondence concerning existing or proposed network deployment.

I do not seek routine administrative correspondence concerning meeting availability or similar matters unless it materially identifies the purpose or subject of the engagement.

4. Previous formal information notices issued to EXA

Ofcom's published Telecoms Access Review material identifies a number of formal information notices involving EXA Infrastructure UK Ltd.

Please provide copies of the following notices and, subject to any properly applicable exemptions or exceptions, EXA's responses and substantive supporting material:

01812385 – 14th May 2024 – “Leased lines”

01821927 – 8th July 2024 – “Market analysis”

02013537 – 23rd June 2025 – “Market analysis”

02052870 – 10th September 2025 – “Cross programme”

For each notice, please also provide any recorded information identifying:

A. The Ofcom directorate, team or programme responsible;

B. The subject matter and regulatory purpose of the notice;

C. The categories of information requested from EXA;

D. In respect particularly of 02052870, which Ofcom programmes were encompassed by the description “cross programme”; and

E. Whether any information obtained through these notices was subsequently relied upon, reviewed or considered in connection with EXA's 2026 Code application.

I recognise that elements of EXA's substantive responses may potentially engage confidentiality considerations. That should not, however, prevent disclosure of the notices themselves, their scope and purpose, basic metadata, non-confidential material, or reasonably severable portions of documents.

5. Ofcom personnel and previous engagement

Please provide recorded information identifying the Ofcom officials, teams or directorates with substantive responsibility for:

- receiving and assessing EXA's 2026 Code application;*
- obtaining information from EXA in connection with that application;*
- assessing EXA's existing and proposed network deployment;*
- the four information notices identified above; and*
- any material consideration of EXA concerning leased lines, cloud infrastructure, datacentre connectivity or hyperscaler connectivity relevant to the Code application.*

For avoidance of doubt, I am not seeking private personal information or personal contact details. Job titles, directorates, professional responsibilities and the identities of public officials acting in an official capacity are sufficient.

In particular, please provide any recorded information showing substantive involvement by in the EXA application, the above information notices, or related EXA regulatory engagement.

If none of those individuals had any recorded involvement within that scope, please simply confirm that no such information is held.

6. Meetings and regulatory engagement with EXA

For the period 1st January 2024 to the date of this request, please provide any existing record or schedule held by Ofcom identifying substantive meetings between Ofcom and:

- EXA Infrastructure UK Ltd;*
- EXA Infrastructure Services UK Ltd;*
- EXA Infrastructure Express UK Ltd;*
- EXA Infrastructure Atlantic UK Ltd; or*
- representatives acting on behalf of those companies,*

where the subject concerned:

- Electronic Communications Code powers;*
- UK fibre-network expansion;*
- leased-line infrastructure;*
- future network deployment;*
- data-centre connectivity;*
- cloud infrastructure;*
- hyperscalers; or*

- *private/dedicated network infrastructure.*

Where minutes or substantive records of such meetings exist and fall within the subject matter above, please provide them subject to appropriate redaction where genuinely necessary....

If necessary, I am willing for Ofcom to prioritise the request in the following order:

- 1. the complete 25th August 2026 EXA Code application and supporting material;*
- 2. geographic/network-deployment information;*
- 3. information referencing Devon, Alverdiscott, Xlinks, Valeon or the Devon Data Campus;*
- 4. notice 02052870 ("cross programme") and the scope of that notice;*
- 5. the remaining three information notices;*
- 6. substantive communications relating to the 2026 Code application; and*
- 7. the wider meeting/engagement information."*

Our response

We consider that your request as a whole is too broad in scope and that complying with it would place a disproportionate burden on Ofcom.

In particular, questions 2, 5 and 6 are drafted in very wide terms and would require extensive searches across multiple project teams, shared drives and inboxes to establish what information is held. For example:

- Question 2 seeks information relating to EXA Infrastructure UK Ltd's proposed network expansion and a range of locations, companies and subjects. Information falling within scope may potentially be held by a number of different teams across Ofcom including the teams that deal with the ECC applications, telecoms access review work, connected nations work etc and would require extensive enquiries to identify.
- Question 6 seeks information concerning meetings over a period of more than 2.5 years and across a broad range of topics. Establishing whether information is held would require searches across a number of teams similar to question 2.
- Elements of question 5 would similarly require enquiries across multiple teams to identify all officials who may have had involvement in various aspects work that might have involved this company. We would not hold a readily available document listing all relevant colleagues that worked on these matters.

Under regulation 12(4)(b) of the EIR, a public authority may refuse a request where it is manifestly unreasonable. We consider that the breadth of the request as a whole, and the work required to locate, retrieve and review all potentially relevant information across Ofcom, means that regulation 12(4)(b) is engaged.

To the extent that any part of your request falls outside the definition of environmental information and would therefore need to be considered under the FOI Act, we consider that section 12 of FOI Act is also likely to be relevant. Section 12 provides that a public authority is not obliged to comply with a request where the cost of determining whether information is held, and locating, retrieving and extracting that information, would exceed the appropriate limit, which for us is 18 hours.

We note that you have identified an order of priority should the request need to be narrowed. However, consistent with ICO guidance, we do not consider it appropriate to process selected parts of the request and refuse the remainder. Instead, we consider the appropriate course to be to provide advice and assistance and invite you to submit a narrower request that can be considered in a manageable form.

We therefore advise you to explicitly state the questions you wish for us to answer, taking into account the concerns set out above regarding the breadth of the request.

By way of example, you may wish to focus solely on information relating to EXA Infrastructure UK Ltd's 2026 Electronic Communications Code application. Limiting the request in this way would significantly reduce the number of relevant teams that would need to be consulted and may therefore enable us to process the request more effectively.

Please note that narrowing the request would not necessarily mean that all information within scope could be disclosed as, depending on the information requested, there are exemptions to disclosure under the EIR (and FOI) that may be relevant, including regulation 12(5)(e), which protects the confidentiality of commercial or industrial information where that confidentiality is provided by law and protects a legitimate economic interest. Information we have received from companies, that isn't already in the public domain, relating to their network infrastructure, future deployment plans, network routes, commercial strategy and related technical material may engage this exception.

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) 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 Commission Office](#).