

Plan of work team
Ofcom
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5th February 2026

Dear Ofcom,

Ofcom's proposed plan of work 2026/27

I am writing to you on behalf of Open Fibre Networks Limited (OFNL), part of the BUUK Infrastructure Group of companies, in response to **Ofcom's proposed plan of work 2026/27** which was published on 5th December 2025. The response contains specific comments on Ofcom's plans to deliver 'Internet and Post we can rely on'. I can confirm that this response is not confidential and can be published on the Ofcom website.

An introduction to BUUK and OFNL

BUUK Infrastructure (BUUK) is a leading UK multi-utility infrastructure investor, working across Great Britain and competing against incumbent utility companies. We have provided over 3 million utility connections and now serve customers across 48,000 discrete networks and six essential utilities. Our main shareholder is Brookfield, a global investor in property, infrastructure, and renewable energy. We cover every utility sector and can therefore provide a unique perspective on evolving utility and regulatory policy.

We apply our considerable experience, across multiple utilities, to the fibre industry via OFNL which has been providing gigabit-ready full fibre broadband connections to the new build housing sector since 2008. Our fibre networks are chosen by developers in preference to the solutions offered by the monopoly incumbent. We also operate a wholesale business, Open Fibre Networks (Wholesale) Limited (OFN(W)L), offering wholesale services to Communication Providers across the UK.

Ofcom's proposed plan of work 2026/27

We welcome Ofcom's continued focus on regulating communications markets to deliver good outcomes for consumers and businesses today, as well as driving investment in the services of tomorrow. We also welcome Ofcom's recognition, in the proposed 2026/27 plan, that regulation will play a vital role in supporting growth; and note that this builds on the principle that "good regulation and economic growth go hand in hand" as set out in its

Three Year Plan 2025-2028.¹ We note that Ofcom’s commitment to growth is coupled with its commitment to digital inclusion and that this also aligns with the *Three-Year Plan* which set out that “tackling digital exclusion [is a priority] for the UK and for Ofcom”.²

In this response, we focus on the proposed priority around “Internet and Post we can rely on”. Our comments specifically relate to fixed broadband infrastructure given OFNL’s role in delivering full fibre broadband to new build developments. While we support Ofcom’s overall approach, we think there may be benefit in the regulator introducing two additional policies to protect and promote competition over the course of the upcoming five-year telecoms access review (TAR) period:

1. Establishing targeted regulatory provisions through the TAR that facilitate a smooth programme of exchange exit and ensure that industry competitors are not disadvantaged by Openreach’s actions thereby protecting competition and good outcomes for consumers; and
2. Supporting the development of fibre broadband competition in the new build sector to contribute to the effective delivery of the Government’s housing targets and drive to net zero.

The remainder of this response sets out our thinking on the key role we think Ofcom should perform in both these areas to fulfil its commitment to economic growth and digital inclusion.

Implementing the Telecoms Access Review

Ofcom is half-way through its 10-year regulatory strategy to enable network competition to drive investment in the roll-out of gigabit-capable broadband, with the March 2026 TAR statement expected to set the regulatory framework for the remaining five years to March 2031. We are largely supportive of the TAR but have residual concerns around Ofcom’s proposed approach to the Openreach exchange exit programme given it will re-shape large parts of the UK’s fixed telecoms networks. Recognising the potential implications of this programme for Openreach competitors, we think regulatory intervention will be required. Indeed, Ofcom acknowledges that “Openreach has the ability and incentive to manage exchange exit in a way that harms competition and ultimately consumers” due to BT’s SMP in the relevant markets.³ We therefore think Ofcom should seek to mitigate any potential threats to the pro-competitive, pro-investment regime that is emerging in gigabit-capable broadband.

The exchange exit programme

In our previous responses to the TAR, we have urged Ofcom to consider the risks of Openreach conducting its exchange exit programme in a way that harms its competitors. As we have set out, OFNL is not a direct Openreach customer at local exchanges but will face significant costs from exchange exit due to our established backhaul arrangements with Sky at Openreach exchanges that are set to close. Exchange exit means OFNL will have to make alternative arrangements to handover traffic to backhaul providers at enduring

¹ Ofcom, March 2025. [Ofcom’s Three-Year Plan 2025-2028](#), p.6.

² Ofcom, March 2025. [Ofcom’s Three-Year Plan 2025-2028](#), p.8.

³ Ofcom, March 2025. [Telecoms Access Review 2026-31, Volume 3: Non-Pricing Remedies](#), p.44.

exchanges; and could be left with stranded assets at local exchanges where it has used PIA to connect to Sky backhaul outside the exchange.

Recognising this as a material risk, we think Ofcom should specify the regulatory parameters that Openreach should operate within when progressing its exchange closure programme. The regulatory obligations relating to the regulated products consumed by direct customers will not protect indirect customers like OFNL from facing discriminatory behaviour from Openreach during exchange exit. Specific provisions are therefore required to establish a regulatory expectation that Openreach's competitors should not be disadvantaged by the incumbent's decision to amend its network configuration. In effect, the provisions should ensure that indirect customers like OFNL are offered suitable solutions to connect to the enduring exchanges and are not burdened with undue costs. Without these provisions, the risks of discriminatory behaviour by Openreach would remain unchecked and could result in material harm to competition and consumers.

We trust that Ofcom's final TAR decisions will protect against these exchange exit risks. If Ofcom considers that further consultation on specific provisions is required, we note that it could include these in a short consultation to run in parallel with its consultation on the copper retirement regulatory framework planned for March 2026.

Competition Supervision Programme

We are pleased to see that Ofcom's plan of work 2026/27 explicitly includes an ongoing Competition Supervision Programme, which will oversee competition in telecoms markets and ensure Openreach's compliance with the rules set out in the TAR. This will include monitoring "the competition aspects of copper retirement and exchange exit".⁴ We support plans to specifically monitor the competition aspects of exchange exit as this will be vital to protect against the competition risks described above. We note, however, that introducing specific exchange exit provisions in the TAR will be critical to establishing effective monitoring in this area.

Competition in new build developments

While we agree with the TAR regulatory strategy of maintaining "certainty, consistency and stability" of approach, we note Ofcom's acknowledgement, in March 2025, that "at the halfway point there is more to be done to establish material and sustainable competition"⁵ and think further action is needed to facilitate this. We believe these issues are particularly pertinent in the new build sector, given Government aspirations to build 1.5 million new homes by the end of this Parliament (and notably before the end of the market review period). Meeting this target will require significant growth of the existing housing stock and parallel delivery of new broadband infrastructure as changes to the obligations on developers introduced in December 2022⁶ require them to connect new homes to gigabitcapable networks (or at least install gigabit-ready physical infrastructure). Competition

⁴ Ofcom, December 2025. [Ofcom's Proposed Plan of Work 2026/27](#), p.31.

⁵ Ofcom, March 2025. Analyst Presentation: [Promoting competition and investment in fibre networks: Telecoms Access Review 2026-31](#), p.7.

⁶ DCMS, January 2023. [Guidance: New build connectivity: Information for developers](#). Accessed on: 4 February 2026.

from altnets in gigabit-capable connections to new builds and new towns is therefore vital to secure rapid delivery against targets in an economic and efficient way. BUUK have commissioned a thought leadership review of the roll out of utility infrastructure⁷ in new towns. Independent network companies have shown to speed up delivery and provide

innovative solutions in other utilities; of which telecoms customers are yet to fully benefit from.

However, analysis from Thinkbroadband shows that Openreach still retains an 80% share of the new build market⁸, despite competition from new entrant altnets who have secured most of the remaining 20%. This contrasts notably to the development of competition for connections in other regulated utilities, particularly gas and electricity where the share of the new build market won by independent network providers currently stands at around 80%. Experience in other utilities has shown that housing developers typically prefer to work with independent network providers as they offer a more responsive, tailored service at a competitive cost point; benefits that can be further enhanced where a multi-utility approach is taken. Multi-utility provision to new builds also contributes positively to environmental sustainability and innovation in green technologies.

Despite these factors, we have not seen the fibre broadband market evolve in the same way as other utilities and we suspect this is largely due to the differing dynamics in this sector. In this respect, BT continues to hold a position of dominance as the historic incumbent as well as significant brand affiliation. As a result, many housing developers want to be able to offer BT products to their end customers but the former incumbent will only use Openreach network assets to provide its services; and this effectively forecloses a large portion of the market to altnets as BT Consumer will not use their infrastructure.

We think fresh thinking is required when looking at promoting competition for new build sites and levelling the playing field for altnets in this market. We believe that the first step toward improving the market dynamics would be to analyse how it is currently functioning. The Competition Supervision Programme should therefore include monitoring and assessing broadband competition in new build developments to see how the market is performing for consumers and businesses on choice, value and quality, including an assessment of Openreach and BT Consumer's behaviour. We note that similar monitoring of incumbent companies was implemented in both the energy and water sectors in the past and that greater transparency on performance led to significant improvements in services, stimulating the further development of competition and growth in the housing sector.

We assume the Competition Supervision Programme will run in parallel with the ongoing work of the Openreach Monitoring Unit overseeing compliance with the commitments that underpin the legal separation of BT and Openreach. We also support Ofcom's plans to continue to report on coverage, take-up, usage and availability of broadband and mobile networks through its Connected Nations reports. The review of the reporting approach

⁷ BUUK, June 2025. [Unlocking delivery of the next generation of new towns: A BUUK blueprint for Government.](#)

⁸ Thinkbroadband, July 2025. [Analysis of broadband coverage in new build UK homes.](#) Accessed on: 4 February 2026.

presents an opportunity to consider adding analysis of coverage and competition at new build sites that would inform the Competition Supervision Programme.

We would also like to invite the Ofcom team to our offices near Bury St Edmunds where we can explain in more detail our business and how this can support both Ofcom and the wider Government's objectives relevant to digital infrastructure investment, economic growth, housing and net zero. Please let us know of dates that would work for you.