

NOTICE OF VARIATION**VARIATION NUMBER 11 DATED 8 SEPTEMBER 2009**

TO LICENCE GRANTED TO BBC FREE TO VIEW LIMITED (“THE LICENSEE”) TO PROVIDE A MULTIPLEX SERVICE UNDER PART 1 OF THE BROADCASTING ACT 1996 (AS AMENDED) AND DATED 16 AUGUST 2002 AS VARIED BY VARIATION NUMBER 1 DATED 17 DECEMBER 2003, VARIATION NUMBER 2 DATED 9 NOVEMBER 2004, VARIATION NUMBER 3 DATED 1 APRIL 2005, VARIATION NUMBER 4 DATED 19 FEBRUARY 2007, VARIATION NUMBER 5 DATED 5 JULY 2007, VARIATION NUMBER 6 DATED 10 OCTOBER 2008, VARIATION NUMBER 7 DATED 20 MARCH 2009, VARIATION NUMBER 8 DATED 2 JUNE 2009, VARIATION NUMBER 9 DATED 3 JUNE 2009 AND VARIATION NUMBER 10 DATED 5 AUGUST 2009 (“THE LICENCE”).

WHEREAS

- A. On 17 October 2008, Ofcom announced its determination under Article 3 of the Television Multiplex Services (Reservation of Digital Capacity) Order 2008 (“the Order”) to reserve capacity for relevant Public Service Broadcasters and has varied the licence in order to reflect the necessary changes required to give effect to its determination.
- B. Ofcom is now varying the licence to allow the relevant Public Service Broadcasters to broadcast in the High Capacity Mode from five sites in advance of the Relevant Switchover Date for these areas.
- C. In accordance with section 3(4) of the Broadcasting Act 1996, the Licensee has been given a reasonable opportunity to make representations on the proposed variation.

NOW THEREFORE the Licence shall be varied in the following manner:

1. By inserting into the index to the schedule:
“ ANNEX A PART 12 – DETAILS OF THE TEMPORARY ADOPTION OF THE HIGH CAPACITY TRANSMISSION MODE ON ADDITIONAL FREQUENCIES”
2. By inserting into Part 1, ‘Definitions and interpretation’ the following definitions;
 - a. **“High Capacity Coverage Area”** means each region specified under paragraph 21, Table 2 of Part 9 of Annex A and each main station specified in Table 4 of Part 12 of Annex A for which the High Capacity

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Transmission Date unless the Licensee and Ofcom otherwise agree.

The stations set out in Table 4 below may be varied by formal request, provided the Licensee has provided three months notice to Ofcom

Table 4 – Details of main stations adopted the High Capacity Transmission Mode on additional frequencies.

Station Name	Grid Reference	UHF Channel	Aerial Height (in meters above ordinance datum - sea level)	Power (ERP kW)	Relevant Service Launch Date	Relevant Frequency Termination Date
Pontop Pike	NZ 147 527	63	446	10	1 January 2010	31 December 2012
Black Hill	NS 828 647	59	531	10	1 January 2010	31 March 2011
Crystal Palace	TQ 339 712	31	301	10	30 November 2009	30 June 2012
Emley Moor	SE 222 128	39	541	4	1 January 2010	30 September 2011
Lichfield	SK 164 043	34	400	4	1 January 2010	30 September 2011

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Unless otherwise stated, this variation to the Licence shall come into force on the execution of this variation by Ofcom.

This document shall be construed as if it formed part of the Licence and shall be governed by English law.

SIGNED FOR OFCOM ON 8 SEPTEMBER 2009

Kathleen Stewart
Manager, Television Broadcast Licensing