

SCHEDULES

SCHEDULE 10

RECOVERY OF OFCOM'S INITIAL COSTS

Further recovery of initial costs

- 3 (1) The second phase of OFCOM's recovery of their initial costs begins after the end of the last of the specified charging years.
- (2) As soon as reasonably practicable after the end of the last of the specified charging years, OFCOM must publish a statement specifying—
- (a) the amount which is at that time the recoverable amount (see paragraph 6), and
 - (b) the amounts of the variables involved in the calculation of the recoverable amount.
- (3) OFCOM's statement must also specify the amount which is equal to that portion of the recoverable amount which is not likely to be paid or recovered.
- The amount so specified is referred to in sub-paragraphs (4) and (5) as “the outstanding amount”.
- (4) Unless a determination is made as mentioned in sub-paragraph (5), OFCOM must, in aggregate, charge providers of regulated services additional fees of an amount equal to the outstanding amount.
- (5) The Secretary of State may, as soon as reasonably practicable after the publication of OFCOM's statement, make a determination specifying an amount by which the outstanding amount is to be reduced, and in that case OFCOM must, in aggregate, charge providers of regulated services additional fees of an amount equal to the difference between the outstanding amount and the amount specified in the determination.
- (6) Additional fees mentioned in sub-paragraph (4) or (5) must be charged in respect of the charging year immediately following the last of the specified charging years (“year 1”).
- (7) The process set out in sub-paragraphs (2) to (6) is to be repeated in successive charging years, applying those sub-paragraphs as if—
- (a) in sub-paragraph (2), the reference to the end of the last of the specified charging years were to the end of year 1 (and so on for successive charging years);
 - (b) in sub-paragraph (6), the reference to year 1 were to the charging year immediately following year 1 (and so on for successive charging years).
- (8) Any determination by the Secretary of State under this paragraph must be published in such manner as the Secretary of State considers appropriate.

Status: This is the original version (as it was originally enacted).

- (9) Sub-paragraphs (4) and (5) of paragraph 2 apply to the charging of additional fees under this paragraph as they apply to the charging of additional fees under that paragraph.
- (10) The process set out in this paragraph comes to an end in accordance with paragraph 4.