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Direct line: [✂]
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5 October 2017

Dear Joel,

Re: Agreed basis for the provision of information and assistance by Ofcom to the CMA in relation to the proposed Fox/Sky merger

Further to your letter of 25 September setting out an agreed basis for the provision of information and assistance by Ofcom to the CMA, we have identified a number of Ofcom internal papers that may be helpful to you in the carrying out of your functions, and which we propose to share with you under our duties set out in s.105(4A) of the Enterprise Act 2002.

The files we are providing to you today through the MFT are as follows:

1. ANNEX B share of reference overview doc¹ – defines share of reference and explains the calculation
2. SoR comparison note 010217 – sets out changes to Ofcom's News Consumption Survey over time and the impact of these changes on share of reference
3. Commercial radio summary – research note setting out proposals for the allocation of commercial radio news bulletins to different wholesale news providers
4. Allocation of intermediaries SOR 290317 – sets out the difficulties of mapping share of reference from intermediaries to news providers and potential ways to allocate
5. Annex 1 News market context final – sets out news market context
6. Annex 2 Digital news value chains high level overview – sets out the news value chain²

¹ This item was an annex to a brief for a re-tendering exercise for the News Consumption Survey

² Items 5 and 6 are annexes to an Ofcom internal meeting agenda

7. Evidence overview – overview of potential key evidence points relating to the plurality and broadcast standards considerations
8. Project Blue 030517 further consumption info – additional evidence points to support the above paper
9. Project Blue Cardiff University research Peer Review – Ofcom peer review of the Cardiff study
10. Discovery compliance history – list of breaches over the last five years
11. Viacom compliance history – list of breaches over the last five years
12. Fox and Sky compliance history – list of breaches over the last five years
13. Early analysis of Fox Board resolution – initial analysis of a resolution adopted by the 21CF Board 20 April
14. Resolutions on Guidelines and editorial appointments – Board resolution adopted by 21CF Board 20 April

In providing this information I would like to draw your attention to the following points:

1. The files that we are providing to you are working documents by the team and do not necessarily reflect Ofcom policy positions.
2. Some of the files are marked as 'draft', however these are the latest versions of each document.
3. A number of submissions referred to The Times undertakings. This document is publicly available, but given that it can be difficult to find, please let us know if you would like us to send you a copy.

Yours sincerely,

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Kevin Bakhurst