

I am writing to you in response to the enquiry to Ofcom from BBC Free to View Ltd concerning its DTT high definition multiplex licence .

I would like to urge you not to allow the BBC to compress the service information

(SI) data on the upgraded multiplex using BBC developed look-up tables.

Doing so would make a mockery of the requirement that the BBC's HD content be broadcast free to air: it would essentially be DRM by the back door, and would in practice be little different from encrypting content - something that Ofcom itself has rightly called "inappropriate".

Not only would such look-up tables not be compatible with the BBC's role as a public broadcaster, they would undermine the argument for continued funding through a television licence - something that is hardly in the BBC's interest. Content providers need to understand that broadcasting free to air is the quid pro quo that they need to accept in return for the benefits of working with the BBC - notably in terms of prestige and distribution. If they are unhappy with that, they always have the option of not making content available to the BBC: they will doubtless be plenty of other producers willing to fill the gap.

I would also like to flag up one particular problem with the compressed service information proposal. As you know, one of the most vibrant areas in the field of computing currently is that of open source. The free availability of high-quality software has had enormous knock-on benefits for consumers. For example, many set-top boxes use the GNU/Linux operating system, which has led to a dramatic fall in their price, widening access considerably.

Because of its decentralised nature, open source would find it hard to work with the compressed service information scheme because of the non-commercial nature of many of the software projects. This would lead to free software falling behind in this area, and the loss of many of its benefits for set-top boxes and other consumer products that have started to adopt it. This chilling effect on innovation and price competition is hardly something to be welcomed.

Another aspect worth considering is that the proposed protection scheme will not be hard for determined individuals or organisations to crack; instead, it will be the law-abiding citizens who suffer when they are unable to view HD content on their PCs running open source software, for example. It seems perverse to add extra incentives to breaking the law on sharing content at a time when the UK government's emphasis is on getting people to respect it.

For these reasons I urge you not to allow the BBC to adopt any of these measure, and ask you to protect the crucially-important free-to-air nature of its services that lies at the heart of its role as the leading public broadcaster.

Yours sincerely

Dr Glyn Moody