

Title:

Mr

Forename:

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Representing:

Self

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What do you want Ofcom to keep confidential?:

Keep nothing confidential

If you want part of your response kept confidential, which parts?:

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Ofcom should only publish this response after the consultation has ended:

You may publish my response on receipt

Additional comments:

Question 1: Do you agree that copy management would broaden the range of HD content available on DTT and help secure its long term viability as a platform? :

No. The most important HD content the BBC shows and will show is the content the BBC has itself produced. Other content providers have a choice to make as to whether they would

choose not to sell their content for use on DTT due to piracy concerns; however I believe the content providers will follow the industry as regulated by Ofcom.

They will not cut off their nose to spite their face as it were. If Ofcom choose to refuse the use of DRM, then their choice is to sell content for use on DTT and reach a wide audience while generating large revenues, or not provide it to DTT and massively hurt their potential revenues regardless of the perceived loss via piracy.

The content availability will not be affected regardless of Ofcom's decision. All that will be affected is the BBC's revenue.

With regard to long term viability, it is simply not in question. Technology will progress, consumers will demand the latest technology and it will be provide to them. As soon as technology provides the ability to have easy access to 4320p content, the providers, equipment manufacturers and distributors will move to it, DRM or no DRM.

And I dare say no-one is questioning whether TV will survive as a platform.

This is all aside from the fact that the proposals will increase the price of HD equipment and will reduce the choice of suppliers of said equipment actually reducing the free availability of HD content to the public who have already paid the licence fee for access to said content.

Question 2: Do you agree that the BBC's proposed multiplex licence amendment represents the most appropriate means for securing an effective content management system on HD DTT? :

No. The licence fee IS the content management system. All owners of tv-capable equipment are subject to pay the licence fee. This fee pays for the content and should allow all fee payers free access to the content the fee has paid for from any device, anywhere in any form.

While it is illegal to re-distribute the content the focus should be on those who act illegally not preventing the act. Just because a knife can be used for illegal purposes it should not prevent you using it for whatever legal purpose you wish and storing it wherever you wish.

Question 3: Do you agree with the proposed change to Condition 6 in the Multiplex B Licence? :

No. I absolutely do not agree with the proposed change.

Question 4: Do you agree that Multiplexes C and D should be granted a similar amendment to their Licences as Multiplex B?. :

Absolutely not. While service providers such as Virgin Media and BSkyB are free to provide as much additional content as they wish, with restricted access governed however they see fit, the same does not and should not apply to DTT services as governed by Ofcom's multiplex licences. Every part of the above comments rejecting the proposed licence amendment apply as much to Multiplexes 1, 2, A, C and D as they do to Multiplex B.

Question 5: Do you agree that the BBC's proposed approach for implementing content management would safeguard citizens and consumers legitimate use of HD content, and if not, what additional guarantees would be appropriate? :

Absolutely not. By its very nature the use of restricted access Huffman tables will prohibit legitimate use of HD content. The BBC will, in effect, be limiting access only to very specific equipment that they deem suitable. Anyone not wishing to, or not able to, purchase this equipment will be prevented from even accessing the content, let alone using it for other legitimate purposes.

Open standards exist for a reason. They exist so that absolutely anyone may create equipment and/or software to perform a certain job knowing that if they conform to the standard, their creation will perform the job required. The BBC's proposal will remove this ability as only those the BBC deem fit will be provided with the information needed to do so. It is like locking up every petrol pump in the land and only providing the key to the pumps to citizens who own one of five approved brands of motor vehicle. It is fascist nonsense.

The only appropriate guarantees would be that the BBC would provide their Huffman tables to whoever wished to have them so long as they could prove they had a valid and current TV licence. Since nearly 100% of households in the country have a current and valid TV licence, this would completely defeat the point of having the Huffman encoding in the first place.

Further to the above, should Ofcom choose to accept the BBC's proposals, and I hope they do not, I believe that the BBC can not be trusted to act responsibly regarding the provision of the content. Any agreement they would make regarding the availability of content must be set in a binding agreement that they must not be allowed to deviate from in the future without further public consultation.

Question 6: Do you agree that the BBC's proposed choice of content management technologies will have only a negligible impact on the cost of HD DTT receivers and their interoperability with other HD consumer equipment? .. :

Absolutely not. Equipment manufacturers will have to undergo rigorous and extensive auditing in order to meet the requirements regarding on-platform content management. Not only will the auditing process be costly for business, the R&D budget requirements are guaranteed to increase by a measurable amount in order to meet the requirements that will then be subject to audit.

UK industry is already at a level where profit margins in the electronics industry are reduced to an absolute minimum. The only way that business will be able to recoup these costs is by passing the cost on to the customer.

Question 7: Do stakeholders agree that the BBC's proposed Huffman Code licensing arrangements would have a negligible effect on the market for HD DTT receivers? :

As per my comments in answer to question 5, I do not agree. The restriction of usable equipment and suppliers, along with the increase in price will be guaranteed to reduce the population of people willing and able to purchase an HD DTT receiver to watch HD DTT content.

It should be restated that the licence payer has already paid for (at least the BBC's) HD content and while forcing them to purchase additional equipment is necessary due to technological advances, it is disturbing to suggest they may then exclusively determine from whom the equipment may be purchased.

Question 8: Do the BBC's proposed content management states and their permitted use for different categories of HD content meet the requirements of other HD broadcasters on DTT? . :

I am not aware of exactly how the requirements of other HD broadcasters on DTT differ from those of the BBC and as such am not qualified to comment.

Question 9: Are there any issues that you consider Ofcom should take into account in assessing the BBC's proposal, that have not been addressed by this consultation?:

The BBC is a public service broadcaster. The BBC is funded by the people. The BBC is attempting to protect a pseudo-commercial status that it has adopted while remaining officially public. This entire proposal and consultation is based solely on the concerns of content providers who wish to protect their revenues by restricting distribution. The BBC needs to stop concerning itself with commercial content providers and in this case so does Ofcom. The BBC should be concentrating on the content that it creates and provides as a service to the public who fund it. If the BBC is not concerned about the distribution of content that it creates, as indeed it shouldn't be, then the proposal is waste of licence payers' money and the assessment and consultation via Ofcom is a waste of tax payers' money and it should be brought to a grinding halt immediately.