

**What do you want Ofcom to keep confidential?:**

Keep name 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. How can limiting access to content broaden the range of content?

One would question whether content that is required to be transmitted with some form of access restriction is of value to the BBC with its role as a public service broadcaster to the UK TV License payer. Such a role would seem to indicate the most important aspect of BBC content is that it should be freely available with unfettered access to the License payer, and other considerations are secondary. Content from providers that insist on access restriction would therefore seem to be inappropriate for BBC transmission and should be provided by the other commercial broadcasters in the UK.

Note the threat from some content providers to withhold content without some form of protection measure has, in the United States, not been acted on (cf. Broadcast Flag and FCC).

**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. This will inconvenience the general public as they will only be able to use approved equipment to receive HD broadcasts; more technically minded individuals will find ways of reconstructing the program information. The most effective method would appear to encrypt the broadcast (which I understand the BBC is forbidden from doing).

My understanding is the method chosen will involve a secret that will be known to the BBC and equipment manufacturers that will enable them to decrypt the program information. This

secret will then inevitably leak (either by being cracked, or from one of the manufacturers, cf. the method used to protect DVDs) making this method of restricting access to content ineffective.

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

No. My understanding is that terms under which BBC acts explicitly forbid the encryption of broadcasts or other methods that restrict access to content. The particular method proposed restricts access to the HD broadcast stream by obfuscating the EPG information required to extract the broadcast stream from the multiplex.

This also breaks the expectation that license fee payers should have free access to the BBC broadcasts without restrictions (other than availability of appropriate reception equipment).

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

Unknown.

**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? :**

No. It would prevent many more legitimate uses than illegitimate ones. The primary role of the BBC is to provide free and unfettered access to its content to the License Fee payer, all other considerations should be secondary.

**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? . :**

No. This will require replacement of any HDD DTT receivers that do not implement this method. Receivers that do implement this method will be able to be sold at a premium as they will have a feature that other receivers do not (the ability to receive BBC HD transmissions) and thus will be. The net effect will be to drive up the price such reception equipment in comparison to competing equipment that does not (and may not be able to) implement this method.

Example equipment that cannot implement this method would be equipment: equipment that adheres to the other standards for reception, but is sourced from another country; equipment that uses Free/OpenSource software to perform the decode of received signals; and so on.

**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? :**

No. The BBC has a massive effect on the domestic reception equipment market in the United Kingdom; any changes to the standards used in order to be able to receive BBC reception would have a huge impact on the manufacturers and market in the UK, and around the world for those manufacturers and their competitors.

Effectively the BBC will be dictating which reception equipment can be used, rather than allowing license fee payers to choose based on own their preferences.

**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? . :**

No. My understanding is the method chosen will involve a secret that will be known to the BBC and equipment manufacturers that will enable them to decrypt the program information. This secret will then inevitably leak (either by being cracked, or from one of the manufacturers, cf. the method used to protect DVDs) making this method of restricting access to content ineffective.

This method will therefore not be appropriate for HD broadcasters that wish to have complete control over restricting access to their broadcasts.

**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?:**

Yes. Ofcom should consider the value to the UK population unfettered access to HD broadcast content from the BBC.