

Representing:

Self

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

Question 1: What characteristics should the pay TV sector display in order to serve consumers best? :

Value for money

Quality of programming

Question 2: Do you agree with the amendment to our criteria for assessing the pay TV market?:

No!

Question 3: Why do consumers pay for TV services?:

To fund the programming, without premium prices who would fund the content?

Question 4: Do you agree with our assessment of the relative importance of platform features and content? :

No

Question 5: Do you agree with our views on the importance of premium sports and premium movies content for competition in pay TV?:

No

Question 6: Are there any other international examples to which you would draw our attention?:

?

Question 7: Do you agree with our overall approach to market definition analysis?:

No

Question 8: Do you agree with our definition of the market for Core Premium Sports channels or do you believe it to be narrower or wider than we have suggested? If so, what specific evidence do you have to support your view?:

Agree

Question 9: Do you agree with our definition of the market for Core Premium Movies channels or do you believe it to be narrower or wider than we have suggested? If so, what specific evidence do you have to support your view?:

Agree

Question 10: How would you see the future development of consumers? viewing habits for sports and movies, and of the ways movies will be delivered to them? How would this affect market definition?:

All movies will be accessed via an on-demand basis either on a pay-per-view basis or as part of a bundle.

Question 11: Does Sky have market power in the wholesale of Core Premium pay TV channels? :

No

Question 12: Do you agree with our conclusion that Sky has market power in the wholesale of Core Premium Sports channels? What specific evidence would you provide to support your view?:

Yes, but so do other premium providers (e.g. Setanta, BT Vision requires a BT line!)

Question 13: Do you agree with our conclusion that Sky has market power in the wholesale of Core Premium Movies channels? What specific evidence would you provide to support your view?:

No there are numerous access points to premium rate movies.

Question 14: Can retailers and / or platform operators get sufficient access to Sky's Core Premium channels? :

Yes

Question 15: Have we presented a factually correct picture of current distribution of premium sports and premium movie channels?:

Yes

Question 16: Do you agree with the list of factors we present as being relevant when Sky considers whether to supply?:

Yes

Question 17: Do you agree with our presentation of the longer-term factors in Sky's decisions to supply?:

Yes

Question 18: Do you agree with our discussion of the role of vertical integration?:

Yes

Question 19: Do you agree with the figures we have presented to illustrate the playing-out of incentives to supply?:

Don't know

Question 20: Do you agree with our proposal that it is important for multiple operators to have wholesale access to Core Premium content, rather than Sky retailing on others' platforms? :

Only if the same applies to other operators.

Question 21: Do you agree with our analysis of the profitability of Sky's wholesale premium business?:

Don't know.

Question 22: What is the effect on consumers of the current situation with regard to access to premium content, now and in the future?:

Since the last consultation/intervention in relation to premium sports consumers now have to spend an extra £150 per year for access to the same sports packages. It was better before! Further restrictions on broadcasting rights will result in consumers

being even further out of pocket.

In addition to increased costs consumers now have to put up with terrible customer services from Setanta and being charged even once their subscription has ended. Having one provider was much better.

Question 23: Do you agree with our analysis of the current situation with regard to choice, innovation, pricing and consumer satisfaction?:

No, all consumers I'm aware of were/are very happy with Sky. See:
http://www.theregister.co.uk/2008/09/30/ofcom_sky_football_film_rights/comments/

Question 24: How would you see differently the future of pay TV as outlined in our 'forward look'?:

One provider but focus more on distribution methods (broadband/mobile etc)

Question 25: Would you agree with our analysis of the likely effects of restricted distribution of Core Premium content on consumers?:

No

Question 26: What should we do, if anything, to tackle the problem we have identified relating to Core Premium content?:

I don't believe there is a problem.

Question 27: What would you see as the key objectives of any remedy in pay TV?:

Reducing the costs on consumers. Preventing content providers from providing ALL the available content is a negative approach.

Question 28: Do you believe we have identified the right list of regulatory options?:

No

Question 29: Have we made a suitable assessment of the option of taking no further action?:

No

Question 30: Have we made a suitable assessment that it would be more appropriate to use our sectoral competition powers than to rely on ex post action under CA98?:

Yes

Question 31: Have we made a suitable assessment of the option of pursuing a process under our sectoral competition powers?:

Yes

Question 32: Have we made a suitable assessment of the option of pursuing a reference to the Competition Commission?:

Yes

Question 33: Do you agree with our discussion of the legal framework for a wholesale must-offer remedy?:

No

Question 34: Have we captured the potential impact on consumers and stakeholders in our preliminary impact assessment?:

No you seem to have ignored the fact consumers are now paying even more than before.

Question 35: If we were to pursue a wholesale must-offer, which retailers should be able to purchase what content on what terms?:

If that is the only option any retailer should be able to offer ALL content so consumers aren't forced to purchase services from multiple providers offering hundreds of channels people never watch.

Question 36: What is your view on which retailers should be eligible for any wholesale offer?:

Any retailer should have access to the wholesale system.

Question 37: What is your view on our decision to focus in this document on residential subscribers?:

Residential subscribers should be resolved first.

Question 38: Have we identified the right content and channels to be captured by any wholesale offer?:

Yes

Question 39: Have we picked up all the relevant issues to do with defining the wholesale product ? i.e. conditions on channels, technical distribution, format, interactivity, VoD? How would you suggest proceeding on any or all of these?:

All issues covered

Question 40: Do you agree with our discussion of the need to set prices?:

No, prices should be driven by demand.

Question 41: Do you agree with our characterisation of the two main approaches to setting prices ? retail-minus and cost-plus ? and the practical issues with each?:

Both are viable options

Question 42: If we were to use a retail-minus approach, what would be the set of costs that we should take into account? Should we base the assessment on new entrant costs or on the costs of an efficient large-scale operator? :

Costs should be based on a market leader not a small scale new comer to the market.

Question 43: Have we identified the important issues related to commercial terms? How would you suggest proceeding on any or all of these?:

Don't know.

Question 44: In particular, how should we tackle the issue of security?:

Don't know.

Question 45: Is three years the right length of time before the first review of this provision? What factors should cause us to review it earlier than this?:

No, 18 months max.

Comments: