

*"Working for quality  
and diversity in  
British broadcasting"*

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## **Response from the Voice of the Listener & Viewer to Ofcom's**

### ***Second consultation on coexistence of new services in the 800 MHz band with digital terrestrial television***

### **Digital Terrestrial Television on the 800 MHz Band: A Service under Threat?**

**26 April 2012**

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**Digital Terrestrial Television on the 800 MHz Band: A Service under Threat?**

*Voice of the Listener & Viewer (VLV) is an independent, non-profit-making association, free from political, commercial and sectarian affiliations, working for quality and diversity in British broadcasting. VLV represents the interests of listeners and viewers as citizens and consumers across the full range of broadcasting issues. VLV is concerned with the structures, regulation, funding and institutions that underpin the British broadcasting system.*

**Introduction**

1. We welcome the opportunity to respond to Ofcom's second consultation on the prospects for the coexistence of free-to-air television with the proposed new 4G mobile services in the 800 MHz band.

**The Principle of Free-to-air Access**

2.1. We recognise the seriousness of the issues at stake from the point of view of a number of different players and, specifically, we acknowledge that:

- (1) The British Government places a high priority on the opening up of spectrum opportunities for new mobile services as well as the significant amounts of money – in the billions of pounds – that could flow into the National Treasury as a result of a new round of spectrum auctions;
- (2) There is a demonstrable need in Britain and internationally for improved mobile access to internet services;
- (3) The Government proposes to set aside some £180 million to mitigate the adverse effects of interference with digital terrestrial television reception - caused by the introduction of new services within the 800 MHz band of frequencies (DCMS, 2012).

2.2. However, we are concerned that current proposals for the use of the 800 MHz band will result in unacceptable and unjustifiable detriment to current and future users of free-to-air digital terrestrial television services (DTT).

2.3. In the current consultation document Ofcom notes the criticism that for “the first time a UK regulator would licence a new service knowing that it would adversely affect an existing service”. But the document goes on to reject the use

of spectrum 'guard bands' – a kind of insulation designed to secure the integrity of and access to the DTT signal - as an inefficient use of spectrum (Ofcom 2012: 12). We do not think this rejection is justifiable. Indeed, in our view the rejection of what we see as necessary protections for existing services provides evidence that Ofcom (and the Government) do not accept the 'co-primary' status granted by the World Radiocommunications Conference to broadcasting and the newer mobile telecoms services. Rather, this statement appears to provide evidence of an intention to favour mobile telecoms services at the expense of television services.

2.4. In addition and in view of the fact that millions of users have only recently been required to 'switch' from analogue to digital broadcasting, incurring costs and in some cases experiencing anxiety in the process, it seems unreasonable and disproportionate to then deprive many of these people of a television signal and service upon which they have come to rely.

2.5. Partly this is an issue of principle - one of upholding existing access rights - and partly it is a question of numbers and of the acceptability of the various forms of mitigation proposed. As recently as June 2011 Ofcom presented research suggesting that 760,000 households in Britain could be adversely affected. But by February 2012 this figure had trebled with a new total of 2.3 million households. This latest figure means that approximately one in ten of all UK homes will be affected (Ofcom, 2011: 4; Ofcom, 2012b: 4).

2.6. That the estimate of numbers likely to be affected has changed so radically also gives cause for concern as to the reliability of the research methods adopted.

### **Government's Proposals for Mitigation**

3.1. In respect of the numbers game it is worth noting that the forms of mitigation proposed do not at present extend to second or third television sets and that the numbers of television sets affected will be significantly larger than the number of households affected.

3.2. The first line of mitigation proposed entails the provision of one free filter to be fitted by the householder to the main television set. Assistance may be provided for the over-75s and those registered as disabled. There is also an intention to send out these filters proactively to households likely to be affected, though this may not happen in all cases.

3.3. The second line of mitigation – if the filter does not work - entails assistance in moving the affected household to a new platform for the reception of television signals, that is, to a cable or satellite subscription provider or to Freesat.

3.4. It is also proposed that the mitigation service, named 'MitCo' will be run by the companies that are successful in the spectrum auction and that the new organisation will exist for one year after the completion of the roll-out of new services (DCMS, 2012).

3.5. In our view there are a number of problems with the forms of mitigation proposed. These include the costs of converting second and third television sets, the lack of knowledge on 'who to turn to' and the possibility that householders will respond to a loss of signal by purchasing a new television set, paying for the checking of a rooftop aerial etc. before they discover the real reasons for the loss of signal. In cases where a house or flat stands empty for several months or even years MitCo could have disappeared before the new resident discovers the absence of a working digital TV signal. And the absence of this signal may also have implications for general amenity and property prices. Finally, it will be in MitCo's interest to limit the costs entailed in carrying out the mitigation activities.

3.6. If the proposed changes go ahead we believe that no consumer should be put in the position of having to incur additional cost in order to continue to receive free-to-air broadcast television services.

3.7. A deeper issue of principle arises in respect of the widely held belief that public service broadcasting should be universally accessible and free at the point of use. Conversion to cable or satellite platforms and the introduction of one-off installation costs or monthly subscription costs break with these principles. In the past there has been consensus across the political parties in Britain that universal access to public service broadcasting is important for reasons of informed citizenship as well as for information, leisure and recreational purposes and for life-long learning. The prospect of more-or-less enforced migration to pay TV platforms would undermine these principles.

## **Representing the Interests of Citizens and Consumers**

4.1. As part of VLV's role in representing the interests of listeners and viewers as citizens and consumers we have supported the concept and introduction of Freeview. It has enabled all consumers and citizens to easily access many more television services than the five available on the now discontinued analogue services. And, as already pointed out, these services whether analogue or digital, have been free at the point of access.

4.2. We particularly support the Freeview technology as it has provided an economical way to access the digital services without the need to commit to an

expensive subscription or the installation of new equipment. A relatively cheap set top box was all that was required and this was, arguably, a key factor in the relative ease with which so many citizens of the UK have been able to switch over from analogue to digital television services in the last four years (2009-12).

4.3. We are concerned that the current proposals for the use of the 800 MHz band will put at risk this service which is essential for many isolated, poor, old or vulnerable citizens. As noted above broadcasting is a vital source of information and entertainment for these and all citizens.

4.4. We have seen a draft of the submission to this consultation from Freeview and support the basic arguments in that submission.

4.5. We are concerned that there are no formal arrangements for consumer monitoring and involvement, should this second major change to the reception of television in a decade go forward. When the original decision to switch from analogue to digital terrestrial television was announced the Minister established an expert consumer group to monitor and advise on the project. VLV has been a member of this group since its inception. We consider that, should this technological change go forward, then it is essential that a formal independent monitoring group is established representing the interests of the citizen and consumer.

4.6. In the light of Government proposals and Ofcom's latest consultation we intend to consult further with other UK consumer groups and to examine the European and international dimension of our concerns.

#### Sources

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