

## Cover sheet for response to an Ofcom consultation

### BASIC DETAILS

Consultation title: Award of the 600MHz spectrum band  
To (Ofcom contact): John Glover  
Name of respondent: Digital UK  
Representing (self or organisation/s): Organisation  
Address (if not received by email):

### CONFIDENTIALITY

What do you want Ofcom to keep confidential?

Nothing	<input checked="" type="checkbox"/>	Name/contact details/job title	<input type="checkbox"/>
Whole response	<input type="checkbox"/>	Organisation	<input type="checkbox"/>
Part of the response	<input type="checkbox"/>	If there is no separate annex, which parts? Annex 1 and text highlighted as yellow should be redacted	

If you want part of your response, your name or your organisation to be confidential, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)? Whole response is confidential

### DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response. This cover sheet requests that it is not published. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name: Alex Pumfrey                      Signed (if hard copy):



## Response to the Ofcom consultation

### 'Award of the 600MHz spectrum band'

4 April 2013

#### 1. Introduction

Digital UK supports Freeview viewers and channels. We provide people with information about their options for receiving terrestrial TV and advice on reception and equipment.

Digital UK led the implementation of digital TV switchover from 2008 to 2012 and during 2013 is overseeing clearance of terrestrial TV services from the 800MHz band of spectrum to prepare for the launch of 4G mobile broadband services.

The company handles day-to-day technical management of the Freeview Electronic Programme Guide (EPG), allocates channel numbers and manages the launch of new services onto the digital terrestrial television (DTT) platform.

Digital UK also manages the integration of any new multiplex onto the DTT platform, ensuring that it is aligned with the technical specifications of all other DTT multiplexes and integrating it into Digital UK's Central Service Information System (or central collator). This means that all Freeview viewers, wherever they may be and whichever channel they may be watching, have a consistent and robust viewing experience, and can always access a comprehensive and high quality 7 day EPG.

The company is owned by the BBC, ITV, Channel 4 and Arqiva.

We provide a summary response below, followed by our answers to the individual consultation questions.

#### 2. Summary Response

Digital UK welcomes Ofcom's commitment to allocating the 600MHz band for DTT use in the interim period to c.2018, and its desire to facilitate the launch of DTT services in the 600MHz band as soon as practically possible. This is necessary to ensure that the consumer benefits of this spectrum are maximised and to support the

longer term competitiveness of the DTT platform, and hence competition in the TV broadcast market as a whole. Digital UK will be delighted to work with Ofcom and the new 600MHz multiplex licensee to support the timely launch of the new services.

While we are fully supportive of the interim use of the 600MHz spectrum for DTT we do not believe that the public policy case for any longer term move of DTT services out of 700MHz has been made.

With regards to the proposals in the consultation we are concerned that the factors set out by Ofcom would not preclude an operator with interests not aligned to the DTT platform from acquiring the licences to disrupt the process to the extent possible within the terms of the licence. This could be done by offering only a single subscription channel at the minimum level of coverage – as would be permitted by Ofcom's Intention to Apply.

This outcome:

- Would not serve the interests of consumers (it would not provide a valuable range of new HD services);
- Would not support the development of the DTT platform (it would not encourage take-up of DVB-T2 equipment); and
- Would not achieve Ofcom's objective of efficient use of spectrum in support of building a strong DTT platform.

We therefore suggest that Ofcom should require the successful applicant by its licence to:

- i. Support the long term interests of the UK's DTT platform and particularly the development of HD on DTT in order to contribute to a vibrant and competitive DTT platform;
- ii. Fully co-operate with Digital UK, the other DTT multiplex operators and DTG to ensure the continued technical robustness and interoperability of the DTT platform;
- iii. Commit to the roll-out of the 600MHz services to the maximum possible extent and to a timetable agreed with Ofcom; and
- iv. Share with Ofcom its plan for developing an attractive HD content offering that will incentivise consumer adoption of DVB-T2 equipment and ensure efficient and effective use of the spectrum.

### 3. Response to Consultation Questions

**Question 1: Do you agree with our proposal not to include Channel 36 in the spectrum to be awarded?**

*Yes. We support leaving ch36 clear for a possible propagation experiment.*

**Question 2: Do you agree that the 600 MHz band should be awarded as a single 'lot'?**

*Yes. This appears to offer the greatest flexibility to the successful applicant, and hence the greatest likelihood of a useful network being implemented.*

**Question 3: Do you agree that the licence should have an end date of 2026, with a minimum term until 31 December 2018 and a clause enabling it to be revoked after that date, subject to at least 12 months notice having been given?**

*Yes. We agree with the proposed term of the licence.*

**Question 4: Do you agree with the proposed service obligations for the licence, including roll-out and coverage obligations to ensure 50% UK coverage (and a minimum 25% in each UK Nation)?**

*We welcome the principle of a minimum coverage obligation, but do not necessarily agree with the extent of the actual proposed obligations and are concerned that the factors set out by Ofcom do not ensure that consumer interests, competition and spectrum efficiency are best served. See our response to questions 6, 7 and 8.*

**Question 5: Do you agree with our proposals to apply a cost-based fee instead of AIP?**

*We agree, and do not think that AIP would be an appropriate tool for realisation of spectrum efficiencies.*

**Question 6: Do you have any other comments on the non-technical licence conditions that are being proposed?**

**Question 7: Do you agree with the technical licence conditions we propose to include in the licence?**

**Question 8: Do you agree with our proposal not to restrict any party from participating in this award process?**

*We welcome Ofcom's desire for a swift and effective launch of the service. We would stress the need for Ofcom to make the interim multiplexes available as soon as practically possible so that the new HD content can be delivered to Freeview viewers at the earliest date. This will ensure that the consumer benefits of this spectrum are maximised and will support the longer term competitiveness of the DTT platform, and hence competition in the TV broadcast market as a whole.*

*However, we are concerned that the factors set out by Ofcom would not preclude an operator with interests not aligned to the DTT platform from acquiring the licences to disrupt the process to the extent possible within the terms of the licence. This could be done by offering only a single subscription channel at the minimum level of coverage – as would be permitted by Ofcom's Intention to Apply.*

*This outcome:*

- *Would not serve the interests of consumers (it would not provide a valuable range of new HD services);*
- *Would not support the development of the DTT platform (it would not encourage take-up of DVB-T2 equipment); and*
- *Would not achieve Ofcom's objective of efficient use of spectrum in support of building a strong DTT platform.*

*We therefore suggest that Ofcom should require the successful applicant by its licence to:*

- v. *Support the long term interests of the UK's DTT platform and particularly the development of HD on DTT in order to contribute to a vibrant and competitive DTT platform;*
- vi. *Fully co-operate with Digital UK, the other DTT multiplex operators and DTG to ensure the continued technical robustness and interoperability of the DTT platform;*
- vii. *Commit to the roll-out of the 600MHz services to the maximum possible extent and to a timetable agreed with Ofcom; and*

viii. *Share with Ofcom its plan for developing an attractive HD content offering that will incentivise consumer adoption of DVB-T2 equipment and ensure efficient and effective use of the spectrum.*

**Question 9: Do you have any comments on the proposed award process in the case of a single compliant Notice of Intention to Apply?**

*No*

**Question 10: Do you have any comments on the proposed award process in the case of more than one compliant Notice of Intention to Apply?**

*No*