

## Name withheld 2

### **Additional comments:**

**Question 3.1: Have we accurately represented the key developments in pay TV since 2010? Are there any other developments which you consider may be relevant to our assessment?:**

Yes, except t perhaps for the latest developments on how the Premier League intends to invite bids for matches

**Question 4.1: Do you agree with our proposed analytical framework for identifying whether limited distribution of key content is a practice which may be prejudicial to fair and effective competition in pay TV services?:**

It also needs to take account of the Premier League's behaviour, which seems designed to screw more money out of the TV companies , and hence directly out of the customers, Competition between TV providers must be maintained and sharpened to stop customers losing out badly

**Question 5.1: Do you agree with our assessment that sports content is an important driver of choice in pay TV services? If not please provide evidence to support your view.:**

Yes, it is crucial, as are the proposals by the Football League to split bidding into five packages of 28 matches and two packages of 14 matches, with no single buyer allowed to acquire more than 126 matches. If this combines with anti competitive TV rights it will simply suck more money into ridiculous player wage levels and transfer fees, and also increase polarisation in who can view sports, ultimately damaging the sports m too

**Question 5.2: Do you agree with our assessment that live Premier League matches represent key content in competition for pay TV services? If not please provide evidence to support your view.:**

Absolutely. It is also anti competitive that the TV companies requires subscription to packages of all sorts of rubbish channels and content to get at the Sports channels

**Question 5.3: Do you agree with our assessment that live Champions League matches also represent key content in competition for pay TV services, albeit to a lesser degree than Premier League content? If not please provide evidence to support your view. :**

Yes.

**Question 5.4: Do you agree with our assessment of the importance of other sports events? If not please provide evidence to support your view.:**

On the whole, yes.

**Question 6.1: Do you agree with our assessment that limited distribution of Sky Sports may be prejudicial to fair and effective competition?:**

Yes. They still have the lion's share, and limiting distribution would damage competition and customer interests

**Question 6.2: Do you agree with our assessment that limited distribution of BT Sport is unlikely to be prejudicial to fair and effective competition?:**

Yes, they are still minor players.

**Question 7.1: Do you agree with our assessment of Sky's incentives to limit distribution of its key content? If not please explain why.:**

In the main, except that Sky seem to me to be losing out, and customers, to Virgin on the basis of service and technology, and may see a 'cash cow' source of revenue in sales of Premier League football to other TV providers without requiring investment in their own services. As they lose on this front they would try to push up wholesale prices.

**Question 7.2: Do you agree with our assessment of BT's incentives to limit distribution of its key content? If not please explain why.:**

Yes

**Question 8.1: Do you consider it appropriate to maintain some form of regulation on Sky in order to ensure fair and effective competition in pay TV? Please provide evidence to support your view.:**

Yes, it is crucial. My experience of their price increasing behaviour is that without such regulation they would fleece customers as much as possible

**Question 8.2: Do you agree with the potential options for regulation we have identified? Do you believe there are other options we should consider?:**

Yes, The conclusion should be that Ofcom should maintain and strengthen the regulatory requirement to sell premium sports to competitors at fair prices set by Ofcom, not the providers

**Question 8.3: Do you consider that the WMO obligation placed on Sky is no longer required to ensure fair and effective competition in pay TV? Please provide evidence to support your view.:**

No. It is definitely required and should be strengthened and enforced rigorously.

**Question 8.4: Do you agree with our assessment that it is unlikely to be appropriate to consider the imposition of regulation on BT to ensure fair and**

**effective competition in pay TV at the current time? Please provide evidence to support your view.:**

Just about, as long as BT Sports continues to be included in Virgin's packages, at no extra charge.