

Title:

Prof

Forename:

Richard

Surname:

Collins

Representing:

Self

Organisation (if applicable):

Email:

What do you want Ofcom to keep confidential?:

Keep nothing confidential

If you want part of your response kept confidential, which parts?:

E-mail address only

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:

Yes

Additional comments:

I write in connection with Ofcom's consultation on the proposal from BBC Free to View Ltd. I observe that the BBC Trust approved the BBC HDTV service subject to the condition that:

Any move from the currently proposed HD standards on picture resolution should not disadvantage consumers who invest in HD equipment which meets the current standards.
(See p 9 at

http://www.bbc.co.uk/bbctrust/assets/files/pdf/consult/hdtv/pvt_final_conclusions.pdf).

In the light of the terms of the BBC's Trust's approval of the launch of the Freeview HDTV service it appears that, if the BBC does introduce DRM into its HDTV signal (the subject of the proposal under consideration by Ofcom), a new application for approval will have to be submitted to the Trust.

In the light of this I believe Ofcom should clarify whether the BBC Trust regards the application before Ofcom as conforming to the terms of its approval of November 2007 and specifically the concerns the Trust raised about viewers' interests in backwards compatibility. I note, moreover, that in its policy statement Building Public Value (BBC 2004), the BBC made an unequivocal commitment not to encrypt its signals. It stated:

Digital exclusion is a form of social waste. This is why the BBC will always be on the side of universal provision, open access and unencryption (BBC 2004: 10).

I therefore object to the proposal under consideration in that it is not consistent with undertakings the BBC made to the public at the time of its bid for Charter renewal and is not consistent with the stated policy of the BBC Trust ? the body established to represent the licence fee payers' interests.

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? :

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? :

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

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

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

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

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? :

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? . :

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?:

Please see additional comments above.