

Title:

Mr

Forename:

joel

Surname:

langton

Representing:

Self

What do you want Ofcom to keep confidential?:

Keep nothing 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

Comments:

You stepped in before to create more competition which you say is beneficial for the consumer. However, the real impact of this was to create a lesser deal for the consumer. The consumer was put in a position where to watch all the football broadcasts, they had to buy both Sky AND Setanta. This is obviously a much worse deal for the consumer.

I could only afford one and had Sky, as their service was good. I had to miss out on the broadcast of other games on Setanta.

Setanta was not a well established service provider, and without a suitable broadcast framework in place struggled to provide a good service, and eventually collapsed. Again, clearly not good for the consumer.

Had Sky been allowed to buy all the football broadcast rights, then consumers would have been safe with an established company, with a reliable framework in place, and would get to

see all the games cheaper, without the need to buy two services from two different providers. Although you probably have the best intentions, this splitting up of rights is clearly a flawed model. It is in no way good for the consumer, by taking this action again you are failing the consumer.

If you are worried about Skys monopoly then it makes more sense to request the rights are non exclusive. So if 2 organizations want the same rights to games, they can have them and the cost is divided between those organizations. This makes sense because it makes the cost of the rights cheaper which can be passed onto the consumer, and it means consumers has choice and there will be price competition between broadcasters. Though i have to say i still doubt whether non Sky organizations have suitable infrastructure in place to provide suitable level of service to the consumer.

Question 1: Do you agree with Oxera's approach to the valuation of Sky's intangible asset base? :

no comment.

Question 2: Do you agree with Oxera's approach to assessing Sky's profitability?:

no comment.

Question 3: Do you agree with our assessment of Sky's weighted average cost of capital? :

no comment.

Question 4: Do you agree with the conclusions we draw about Sky's aggregate profitability? :

no comment.

Question 5: Do you agree with the conclusions we draw about Sky's profitability at a disaggregated level? :

Perhaps, though they have an excellent network in place, and generally good customer service.

And at the end of the day the £30 i pay for sports rights is fairly reasonable when you consider it covers most premier league games (shame they arent allowed to have them all!) and a range of other sports.

Knowing the cost of the sporting rights, which is very high, the cost to the consumer seems fairly reasonable. It would cost me massively more to go and see the games live, watching teams worth hundreds of millions each.

Question 6: Do you agree with our characterisation of the relationship between high wholesale prices and retail pricing? :

no comment.

Question 7: Do you agree with our view that it would not be more appropriate to proceed in relation to some or all of the matters in question under CA98?:

no comment.

Question 8: Do you agree that a wholesale must-offer is in principle the best way of answering our concerns around restricted distribution of Core Premium channels? :

no comment.

Question 9: Do you agree with our proposal not to apply a remedy to wholesalers without market power?:

no comment.

Question 10: Do you agree with our proposal not to extend a remedy to retailers on Sky's own platforms? :

No, it worked for telephones, with BT didnt it.

Sky, as an example are now able to offer the consumer TV, Broadband and Phone very cheaply as a package now. Good for the consumer.

Question 11: Is it necessary for us to set the prices of a wholesale must-offer? :

no comment.

Question 12: Do you agree with our overall price-setting approach of using retail-minus, with a cost-plus cross-check?:

no comment.

Question 13: Do you agree with our proposal to include HD and primary interactive sports content in a remedy?:

no comment.

Question 14: Do you agree with our views as the concerns relating to commercial premises? :

no comment.

Question 15: Do you agree in principle that our retail-minus calculation should start from Sky's retail prices and deduct the retail costs of an efficient entrant?:

no comment.

Question 16: Do you agree with our proposal to set simple linear prices per subscriber, allowing flexibility for other pricing structures?:

no comment.

Question 17: Do you agree with our proposal for wholesale prices to evolve over time according to a 'ratchet' approach and how should these prices track retail prices over time?:

no comment.

Question 18: Do you agree with the principle that the same price for a 'factory gate' product should apply to all retailers regardless of their scale and choice of distribution technology?:

Clearly not. If Sky is able to reliably broadcast everywhere and a competitor is not, then why should the competitor be allowed to charge as much? The service offered is a lesser service for the consumer.

Question 19: Do you agree with our approach for deriving starting retail prices given the complexity of retail bundling?:

no comment.

Question 20: Do you agree with our calculation methodology to deduct retailing costs ? in particular the use of a discounted cashflow analysis, deduction of incremental and pro-rated fixed and common costs, and the use of Sky's costs as an efficient retailer?:

no comment.

Question 21: Do you agree with our proposal to focus on deriving prices for a 'large' entrant scale retailer using DTT transmission and what are your views on our range of prices?:

no comment.

Question 22: Do you agree with our approach to deriving a wholesale price for HD services and what are your views on the resulting range of prices?:

no comment.

Question 23: Do you agree with our proposals for non-price terms ? in particular on Minimum Qualifying Retailer, Minimum Security Requirements and a Reference offer?:

no comment.

Question 24: Do you agree that a wholesale must-offer remedy is unlikely to contribute significantly to the administrative costs currently incurred by Sky?:

no comment.

Question 25: Do you consider that our impact assessment above supports our view that it would be appropriate to impose a wholesale must-offer obligation in the form proposed in order to ensure fair and effective competition?:

no comment.

Question 26: Do you have any comments on the draft wording of this condition, in light of the positions we have set out in the previous two sections?:

no comment.

Question 27: Do you agree with our proposed approach to addressing concerns about the restricted exploitation of SVoD movies rights? :

no comment.

Question 28: Do you agree with our proposed way forward on FAPL?:

no comment.

Question 29: In particular, what remedies do you believe we should consider on FAPL, if any?:

no comment.