

Title:

Mr

Forename:

Aleksandar

Surname:

Lukic

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:

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

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

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

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

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

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

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?:

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? :

Yes, and in addition Sky should be forced to make their premium content available on the Freeview platform as encrypted channels unlockable with a viewing card. This would make access to this content possible for people who don't want to tie themselves to competitors Virgin or BTG

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

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

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

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

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

Yes, definitely. A lot of content people want to watch is hidden behind Sky's red button interactive service and as such is impossible to view unless you are on Sky's service. A remedy including this proposal would be most agreeable with me.

Sky hold a monopoly on HD Sports and Movies at the moment and this must be broken.

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

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?:

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

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?:

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?:

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

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?:

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?:

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?:

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?:

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

Yes, absolutely.

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?:

Yes.

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?:

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

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

Yes. I think it should be made more clear that this question relates to the Premier League, if it is.

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

As I comment in my response to Question 8 a solution must include making the content available on Freeview as an encrypted channel.