

Title:

Mr

Forename:

Surname:

Phillips

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? :

Yes.

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

Yes.

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

Yes.

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

Yes.

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

Yes.

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

Yes.

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?:

Yes.

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. definitely.

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

Yes.

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

Yes.

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

Yes, without doubt.

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

Yes.

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

Yes.

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

Yes.

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?:

Yes.

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

Yes.

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?:

Yes, with direct tracking.

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?:

Yes.

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

Yes, it is a very good approach.

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?:

Yes.

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?:

Yes. The range of prices is fair.

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?:

Yes. Again, the range of prices seems fair.

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?:

Yes.

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, definitely.

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?:

No.

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

Yes, it is another important area.

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

Yes, definitely. It is essential that there must be no monopoly in live coverage.

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

At least one, but ideally two packages of live FA Premier League rights must go to a broadcaster that does not have the rights to the other packages.