

**Representing:**

Self

**What do you want Ofcom to keep confidential?:**

Keep name 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:**

Please see my comments on the FAPL suggestions earlier this morning.

?I wish to complain about OFCOM?s handling of and interference in Premiership Football broadcasting. Until OFCOM or some other government organisation got involved football fans were quite happy watching football on Sky sports and Sky Premierplus if we wanted to pay extra. The moving it from Premierplus to the failed Setanta sports potentially costs football fans £13\*12 per year plus up to £25 set up and/or reactivation fees for an inferior service. I thought OFCOM was supposed to stand for consumers not against it !! I urge you to leave this alone and let Sky get on with what they do very well. ?

Having now found this consultation and other information however, I now see there are more factors than just football. I think though the key point is that anything that is done needs to be to the public's benefit not the opposite for some regulatory ideological objective.

Like the Setanta debacle, regulatory interference can make things worse for the consumer. This is because a new entrant needs to build new infrastructure, build a media team, a customer service systems and team, etc, etc, etc and all this costs money and takes time to get right.

As we can see by Setanta the results were higher cost and a poor service. Please don?t make this mistake again.

Reading below and not the full report I have some other comments:

- I believe there is a danger of taking something which is basically good, a great success in fact and of benefit to the consumer then destroying it with regulation.
- Examples of this are over regulation of Telecoms and it looks like you want to interfere with TV too. Lets face it SKY, BBC and BT are great and provide a great service at a great price. Why mess with it?
- If regulators really want to sort things out what about Gas, Electricity and particularly Water, where customers receive appalling service at ever inflated prices

**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? :**

**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? :**

no

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

no

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

**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?:**

**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?:**

**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?:**

no

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

Ideally make it free to air and pay footballers less.

If you can't do that leave it where it works well on sky. Whatever you do don't split it on to different platforms in a way that disadvantages the consumer.

Provide a service where consumers can watch any match in real time.