

### **Additional comments:**

It has been assumed in the paper that channels 31 - 40 and 63 - 68 are 'cleared'. How true is this and has the impact of clearing these channels been made ? E.g. channel 68 is commonly used as the default RF output channel on Sky Digital set-top boxes. Users may face a re-tuning issue similar to that of the channel 5 vs. VCRs several years ago.

**Question 1: Do you agree that clearing DTT from channels 61 and 62 and PMSE from channel 69 to align the upper band of cleared spectrum in the UK with the emerging digital dividend in other European countries is likely to further the interests of citizens and consumers to the greatest extent?:**

Yes.

**Question 2: Do you agree that the proposed DTT migration criteria are proportionate and appropriate? If not, please explain why and clearly identify any other criteria you believe should be adopted and why.:**

Yes.

**Question 3: Do you have views on the options identified and our assessment of them? Do you believe there are other, superior options, and, if so, why? Do you agree that the hybrid option is most consistent with the DTT migration criteria?:**

Agree with the hybrid option. Minimising equipment changes for the end users, i.e. aerials, is paramount.

**Question 4: Do you have views on the implementation-timing options identified and our assessment of them? Do you agree that DSO-integrated implementation is most consistent with the DTT migration criteria? If not, why not?:**

No views held. The process appears to be too long anyway, i.e. it would have been preferable that all changes took place before 2012 olympics.

**Question 5: Do you agree that a programme-control and -governance arrangement such as that outlined above is appropriate?:**

No comment.

**Question 6: Do you agree that the four cost categories adequately capture the costs associated with clearing DTT from channels 61 and 62? Are there any costs that do not appear to have been accounted for in any of these categories?:**

No comment.

**Question 7: Do you agree that our cost profile is a reasonable basis for planning the capital expenditure for clearing DTT from channels 61 and 62?:**

No comment.

**Question 8: Do you agree that these are the most appropriate criteria to assess which spectrum is the best alternative to channel 69 for PMSE?:**

No.

International arrangements also need to be considered to co-ordinate frequencies in Europe and further afield.

**Question 9: Do you agree with our technical and coverage analysis of the possible alternatives to channel 69 for PMSE?:**

No.

The other cleared channels in the 31 - 40 range have not been considered, whereas channel 38 is the one channel in this range that is not available in the USA.

Interleaved channels alone has several disadvantages as outlined. Although advances in equipment can overcome some of these problems, there are other user issues, e.g. choosing correct equipment, setting it correctly and what to do if interference is found.

The uncertainty over which interleaved or dedicated channels might be available will also impact manufacturers who need to keep sales going in the current economic climate.

**Question 10: Do you agree with our economic assessment of the realistic alternatives to channel 69 for PMSE?:**

No.

Contrary to your assertion, channel 38 is not available in the USA.

**Question 11: Do you agree that channel 38 is the best alternative to channel 69 for PMSE?:**

Don't know.

You haven't provided evidence for the other alternative channels 31 - 40.

**Question 12: Do you agree that we should award channel 38 to the band manager on the same terms as would have applied to channel 69?:**

Don't know.

A clear and final decision is required ASAP for the reasons outlined. The award of a channel to the band manager therefore makes sense, however which channel is not clear.

**Question 13: Do you agree with our proposal to maintain PMSE access to channel 36 on 12 months? notice to cease and to the rest of the cleared spectrum (channels 31-35, 37 and 61-69) until DSO is completed in the UK in late 2012?:**

Yes.

**Question 14: Do you agree with our approach to determining eligibility for, and our assessment of the level of, funding to move PMSE from channel 69?:**

No.

Sagentia's report makes it clear that a large user group are non-professional, e.g. churches, schools, and other small community organisations. Due to financial pressures, these organisations will continue to use equipment until it fails. Therefore an arbitrary 10 year limit on equipment will hurt those who can least afford it. Purchasers of equipment today need reassurance that they are not wasting their money on frequencies which will shortly become unlicensable. Without any such reassurance and until a decision on frequencies has been made manufacturers will suffer loss in sales. Therefore funding must be made available to any purchasers of equipment with a license up until those final decisions have been made - not from 2 Feb 2009 when so much uncertainty has been created.

**Question 15: Do you agree that three years is long enough for PMSE to move from channel 69?:**

Yes.

**Question 16: Do you agree that with our analysis of the key impacts of our policy options? Are there any other key impacts we should assess?:**

No comment.