

**Name and title under which you would like this response to appear:**

Anonymous 101

**Representing:**

Self

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

Keep name/contact details/job title confidential

**If you want part of your response kept confidential, which parts?:**

Name & email details

**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

**Question 1: To what extent do you consider that DTT, DSat, cable and IPTV are in competition with one another for subscribers of pay TV services ? either at present or in the future?:**

DTT is primarily Freeview with some pay TV. But it has limited bandwidth and more pay TV will mean less free viewing. Satellite has almost unlimited bandwidth and is where pay TV mostly belongs. Cable and IPTV are the natural competitors of satellite for pay TV. Now and in the future.

**Question 2: To what extent do you consider the Proposal is likely to deliver benefits to the consumer?:**

This Proposal will give few benefits to consumers as Sky already has a delivery vehicle for pay TV channels on satellite. Sky primarily wants to move into DTT because of the prospect of losing satellite pay TV revenue when BBC FreeSat comes out next year. The proposal is likely to shift the DTT balance more to pay TV and away from Freeview. The massive public take-up of Freeview at the expense of pay TV demonstrates that the Proposal is definitely NOT what the consumer wants.

**Question 3: To what extent do you consider that there is scope for sustainable competition in pay TV on the DTT platform and, more broadly, across all pay TV platforms?:**

The public response to Freeview and the move away from pay TV clearly demonstrates that there is little scope for sustainable competition in pay TV on DTT. Other platforms are where the scope for competition lies.

**Question 4: What are likely to be the key aspects of competition between providers of retail pay TV services on the DTT platform? E.g. what is the role of premium sports and movies content?:**

The key aspects of competition between providers will be to see who can obtain most bandwidth on DTT. What content they provide will depend on the potential financial returns. But this must NOT be at the expense of free viewing.

**Question 5: Do you consider that if Sky were to become the only provider of pay TV on the DTT platform it would be likely to have a significant detrimental effect on competition in the long term? How might this affect the development of other platforms for the delivery of pay TV services?:**

Yes, obviously. It would already have killed off/bought out the existing pay TV providers on DTT. Its financial strength would enable it to keep that monopoly. Given its existing UK monopoly on satellite I doubt if anyone else would then have the strength to compete on other platforms.

**Question 6: To what extent, if at all, do you consider that the Proposal would be likely to lead to any of the public policy concerns outlined at Section 4?:**

"At the end of June 2007 (PSB channels) accounted for over 90% of overall viewing on the DTT platform." This Ofcom statement surely proves the lack of demand for more pay TV on DTT. Allowing the Proposal to go ahead can only impact this. People have voted with their feet on DTT over pay TV. And now Ofcom wants to screw it up! You are there to represent the public!

**Question 7: Specifically, to what extent do you consider that the Proposal would be likely to lead to consumer confusion?:**

How could there be confusion if Sky controls virtually everything?

**Question 8: To what extent do you consider that it is beneficial for consumers to be able to obtain Sky and existing DTT pay TV content without having to purchase separate STBs?:**

Only to the extent that Sky are not allowed to start monopolising DTT and eroding the right to free viewing.

**Question 9: Do you consider that the Proposal might lead to any additional public policy concerns:**

Yes. Many TVs now come with DTT (Freeview) capability inbuilt. The Proposal would mean that much of the Sky content would be unavailable without a new set top box. This looks like an attempt to undermine/sabotage the existing DTT platform.

**Question 10: If Sky becoming the only provider of pay TV services on the DTT platform were likely to have a significant detrimental effect on competition, do you consider that it is possible to address this through a set of additional conditions and/or directions? If so, what form should those conditions/directions take?:**

No I do not think it would be possible to address a Sky monopoly of pay TV on DTT through a set of additional conditions and/or directions. Keeping them away from pay TV on the DTT platform is the only approach feasible.

**Additional comments:**

Ofcom are failing to represent the public if this Proposal is allowed to succeed. It should be representing the public interest in access to free viewing, not simply looking at the revenues it could possibly generate if it allows the Proposal to go ahead. There are already a multitude of viewing choices on other platforms. Allowing Sky to dominate DTT cannot be in the public interest.