

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

Anonymous 104

**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?:**

Email Address

**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?:**

I believe there should be a robust competitive market across the various TV mediums. Allowing BSkyB to dictate content and the direction of the pay market across the mediums is anti-competitive given their proven record of anti-competitive behaviour.

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

Anyone who wants Sky can already get it - why is there a need to rob people who have access to that part of the spectrum to enable BSkyB to enable them to sell something customers can already buy.

**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?:**

Only if there is a common DTT encryption system so that those with access to premium content cannot manipulate others out of the market by aggressively selling their boxes or technology.

**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?:**

Buying premium content such as sport has allowed BSkyB to repeatedly destroy competition. So far they have killed off BSB, ITV Digital and are now aiming at Virgin Media and DTT.

**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?:**

Of course. BSkyBs access to the vast sums it uses to buy premium content will make it almost impossible for anyone to compete as they are backed by one of the world's largest media organisations and have much of the UK press to publicise their programming. This is not a level playing field and BSkyB have shown time and again they don't want a level playing field.

**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?:**

I think it will do all the things you suggest you are concerned about - it will confuse customers, it will lead to multiple types of boxes which will tend to be incompatible with them and it will reduce the access to free to air as other providers see themselves competing for content with BSkyB who charge. Ultimately BSkyB are doing this for anticompetitive reasons and your consent will help them dismantle Freeview which they are determined to do.

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

Of course it would. Customers are already confused about the digital switchover - pay TV on Freeview already makes a mockery of the name.

**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?:**

Very - I think it is criminal to create a market in boxes with customers having to buy different boxes to get different subsets of the spectrum.

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

The UK print and TV media is already dominated by one player - this is just one further attempt by them to abuse their dominant market position and should be resisted in the interests of competition, and the interests of keeping quality content on Freeview.

**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.

**Additional comments:**

Rejecting the proposal is the only option. The alternative is every Freeview provider trying to limit access to their content on a pay basis and would so undermine the whole Freeview concept.