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

Anonymous 133

## 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?:

## 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?:

The majority of competion for pay TV services at present is confined to the DSAT and cable markets, there has been little competition for pay TV services on DTT.

Both Sky and Virgin have effective monopolies on there respective platforms. DTT has expended considerable time and effort in promoting the Freeview brand as a champion of digital switchover.

DTT has a future role to play in pay TV as choice should be available on all platforms; but this should not be implemented until after digital switchover.

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

I believe this proposal at the present time will deliver little benefit to the consumer and may actually have an adverse effect. The digital switchover campaign has been heavily marketed around the Freeview model.

Although digital uptake is rapidly increasing in the UK there are still some elements of the population, especially the elderly who have little undertsanding of the concept. A major change in the DTT platform at present would significantly undermine the entire switchover project introducing confusion and conflicting technologies to the detriment of well managed campaign.

## 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?:

At present the DTT platform is somewhat unique in that it has very limited capacity compared to other platforms. Although there may be capacity for competition in pay DTT, it would not be sustainable simply due to space issues. OFCOM should examine carefully the imapct of allowing the propasals to go ahead allowing one provider to become dominant on both DTT and DSAT would decrease competion, possibly over all platforms. In a broader perspective pay TV competion is not fair at present, one provider in particular has an effective monopoly on content and restricts its equitable distribution to other platforms. A better solution would perhaps be a divorce of content and platform across the board with both sky and virgin being split up into independent service and content providers allowing true competiton to take place as in the US model.

## 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?:

These proposals offer little scope for premium pay TV content as the majority of movies and sports are provided solely by sky.
The proposals will most likely drive top up tv out of business - a company which has provided a pay tv service with a minimum of disruption utilising channel downtime to provide its services.

However with setanta and sky sports both available this would providide an improvement to sport on DTT providing that additional hardware investment was not necessary; there is existing adequate encryption technology available on 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?:

Sky have (at present) a large stake in ITV, a monopoly on DSAT, provide exclusive content from themselves and News International partner organisations (fox etc).

This proposal would effectively hand them control of pay tv on DTT and an even greater monopoly in the UK. ITV has also indicated previously that it sees a return to pay TV in the future ineviatable .

The DTT platform is at risk of becoming the second Sky monopolised platform.

## 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?:

The proposal would extend skys position as the dominant force in pay TV. Future competion would be nigh on impossible against such a large and established company.

Cross platform competiveness will suffer and competition on DTT will soon be extinct.

Skys service will also be used to promote their DSAT services to a near captive audience, further reducing competion in the pay TV market.

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

The proposal will stall the digital switchover project; as most UK viewers consider Freeview to be DTT although technically this is not the case.

New encryption technologies will require the introduction of new equipment creating a two teir DTT service.

Consumers may become confused and believe that in order to view TV after switchover thay will have to pay.

Although digital uptake is rapidly increasing in the UK there are still some elements of the population, especially the elderly who have little undertsanding of the concept.

A major change in the DTT platform at present would significantly undermine the entire switchover project introducing confusion and conflicting technologies to the detriment of well managed campaign.

## 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?:

The requirement to purchase an additional set top box is an expensive and unnecessary proposal.

There is existing adequate encryption technology on DTT compatible with a huge number of existing STBs.

The proposal to introduce a new system would not be beneficial, rather expensive confusing and uneeded.

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

This proposal should be abadnoned and re-examined after digital switchover is complete.

The time and tax payer money invested in ensuring that the UK is ready to go digtal should not be undermined at this time.

Ensuring that digital switchover goes smoothly should be of primary concern at present.

## 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?:

If Sky became the only pay TV provider on DTT of course this would be detrimental to competion as it would mean that the only existing provider had been forced out of business.

Sky have a virtual monopoly on the DSAT platform which can reach the whole UK and as such should not be proceed with these proposals.

Serious thought should be given to preventing platform owners from offering content as this is the only way to ensure true lasting competition in the UK pay TV market.

Both Sky and Virgin media should have their content divisions spun off as separate independent companies. These content providers could then negotiate with Sky, Vigin, and DTT Mux owners in a fair and competitive manner.

## Additional comments: