

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

Anonymous 136

**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?:**

Companies are in competition, not the platforms, the platforms are what the companies use to get more pay tv subscribers. Is this a loaded question?

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

The proposal will deliver no benefits to the consumer; it will do the opposite. This is definitely a loaded question.

**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?:**

DTT is too small (spectrum wise) a platform to support a lot of pay TV. Sustainable competition on the dtt platform is a non starter.

**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?:**

They key aspects of competition? Kill off the other guy. Have you people even heard of the real world? Premium sports and movies are the weapons.

**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?:**

If Sky were to become the only provider of pay tv on DTT it would not have any competition.

**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?:**

There are a lot of concerns in section 4, what is more frightening about section 4 is Ofcom's Preliminary views. However: 4.2, the proposal will have a detrimental effect on the appeal of Freeview. 4.3, If Sky is allowed to abandon Free to view channels PBS companies will think it's okay to abandon free to view channels too. 4.4 is a the core of the whole matter: people buy freeview so they don't have to pay for tv channels. You are taking away their main reason for buying freeview. 4.5, this is the reason behind the proposal. To get people to pay for tv channels. 4.6, Sky would use the promotion of freeview to enhance Sky, as emphasised by Sky's suggestion that DTSL will be promoting the pay services as 'awareness' of the platform. 4.7, Sky is a gatekeeper, it is not going to relinquish any keys, particularly in the set top box area. Even if their boxes are compatible with topuptv they will be sky boxes: Sky will control them. 4.8, and 4.9 Ofcom seem to be promoting two separate systems in these paragraphs. People will not buy two boxes, they will chose one system a la VHS or Betamax. 4.10 will be a pressure on consumers to buy Sky's set top box. 4.11 Don't worry, Sky will come asking for HD, and a further licence change. 4.12 Although there is choice at the moment people are confused at the present too as Freeview isn't free.

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

Quite a lot, especially when Sky kicks in with the advertising. No matter how it's dressed up it's going to be Freeview, where you pay to watch tv.

**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. But people will not buy two set top boxes, they will only buy one. No doubt Sky will have a campaign where boxes are free; they do this with Dsat now. Don't think they won't with dtt.

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

The one concerning honouring licence commitments. If Sky can dump free to air channels for a pay tv service why can't everyone? If Sky and NGW can get away with not honouring their licence commitments and get them changed at a whim why can't anyone?

**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?:**

What do you mean if? If the proposal is allowed Sky will go hell for leather to get rid of the competition. What good would any conditions do? Ofcom would just drop them in the same way they have dropped the free to air requirement in their April 2006 statement.

**Additional comments:**

Freeview should be just that: free to view. The average person makes no distinction between freeview and DTT, despite the insistence of nerds and geeks that they are different. If someone buys a freeview box they expect it to be just that, a box that will give them the free channels. Further 'pay for freeview' options will confuse and annoy people.

Why should Sky be allowed to remove three channels from freeview that were given to it? Surely Ofcom should be up in arms over the mere proposal that the current free to air channels be changed to pay channels?

This whole consultation looks odd and the preliminary views of Ofcom in section 4 are alarming.

As Ofcom have stated in the consultation document (3.25) the take up of dtt has been successful because of freeview not pay tv. To allow this pay tv option to be implemented will be bad for freeview.

Ofcom says in section 3 that Sky's proposal is positive for the consumer. How is the replacement of free channels with paid for channels positive? Particularly something available elsewhere? and on a platform which people consider "free"?

Ofcom also concede the possibility of other free to air channels migrating to pay tv and this would further degrade freeview.?

Again in section 5 Ofcom are championing Sky with the repeated assertion of more choice.

If Ofcom had any backbone, which I doubt, it would chose option 3.