

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

Anonymous 139

**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?:**

I believe that there is some competition amongst DTT, DSat, cable and IPTV providers for those willing to subscribe to pay TV services, however, I also believe that BSKYB has a virtual stranglehold on pay for view content and in their recent dispute with Virgin Media have amply demonstrated that they are quite willing to stifle competition when it suits them.

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

I believe that if BSKYB were allowed unfettered rights to provide pay for view TV content they will do so at the expense of free to view services and ultimately reduce the amount of such content available to the viewing public

**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?:**

I believe that there is scope for sustainable competition, however, I would like to see a situation where a pay for view provider offering 2 or more pay for view channels are required to broadcast some of that content on a free to view channel. DTT must not be allowed to become another predominantly pay for view platform

**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?:**

As I see it BSKYB has a stranglehold on premium movie content. Expanding into DTT should not be permitted at the expense of current or planned free to view content

**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 pay for view provider they would be put in an even stronger position over cable TV services and threaten the quality and quantity of current free to view DTT content

**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?:**

It would rubber stamp BSKYB as the major content provider for pay for view and reduce the quality and quantity of free to view content not only on DTT but also the other platforms

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

I rather think that far from being confused the only choice available would be whether to watch Sky on DSat, cable or DTT. Cable would be relegated to being another Sky platform

**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?:**

It is essential that all DTT content should be accessible without the need of provider specific STB's. A viewer then has the choice of whether they wish to watch free to view content only via a simple STB without a smart card slot or additionally watch any pay for view content by subscription or single payment and a universal STB with a smart card slot. The viewer can then either swap cards as and when they wish to view content from the different providers or have multiple smart card slots on the STB

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

If Sky were allowed to operate on DTT without constraint they would dominate the pay for view market thereby forcing advertisers to allocate most of not all their budget on their channels thereby depriving competitors of revenue. In addition there would also be the concern that editorial content of the news services would be swayed by financial and political considerations rather than independent news reporting and comment

**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?:**

Say for example Sky wishes to broadcast Sky 1, 2 & 3 on a pay for view basis then one of those channels should either be free to view or a fourth free to view channel should be established. This would allow a single channel broadcaster such as say Setanta to continue with its pay for view service without having to set up a free to view channel but at the same time prevent Sky from becoming an all pay for view provider and preserve DTT as a platform from which the viewing public can continue to enjoy a varied and quality free to view service

**Additional comments:**