

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

Anonymous 141

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 main competition for pay TV services is between DSat and Cable and is likely to remain so for the foreseeable future. They have the capacity to launch numerous pay TV channels without restricting the free channels they provide. IPTV is not practical for most consumers due to the poor /slow broadband infrastructure. Because of the current limitation of channels on DTT it should not be used for more pay tv services. The launch of FREESAT by the BBC/ITV etc may allow more pay tv services as far more FREEVIEW channels will be available.

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

I do not see any benefit to FREEVIEW consumers like myself who have no wish to pay for any tv service. The removal of three FREEVIEW channels will only have a negative effect as it will reduce the number of free channels.

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?:

There is little scope for sustainable competition in pay TV on the DTT platform since the number of channels available will always be low. Who is going to pay for a few channels from one or two providers when they can get loads of pay tv channels on DSat and cable. All it does is restrict the number of free channels on FREEVIEW. There is scope for competition on Dsat (including the promised FREESAT), cable, and perhaps IPTV (when broadband speeds improve).

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?:

Allowing Sky on the DTT platform will probably finally cause the demise of the competition (TUTV) on Freeview (which has undergone many changes to try and make it pay). Sky will have more channels and more content as it is the leader in pay tv services.

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. Sky is the market leader and it dominates the market. It did look like that a merger between Virgin & ITV could have introduced credible competition at last but this was blocked by Sky taking a commercial interest in ITV. Some of their channels were also removed from cable (due to a dispute on their cost) causing Virgin to lose customers and become a weaker organisation. They now see consumers switching to FREEVIEW and so now their attention switches to that 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 will have a detrimental effect on the free to air channels.

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

With the switching off of analogue there is already going to be consumer confusion over the coming years in switching to Digital platforms. Introducing yet another type of digital receiver for DTT will only add to the confusion.

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?:

If Sky is given the go ahead it is very important that it uses existing STBs /technology so all DTT pay tv services can compete using the same technology. If not it will weaken other pay tv service providers. It is also better for consumers so that they do not have to pay for or rent another STB.

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

I believe that Sky is the dominant player for pay tv services (like Microsoft for PC operating systems) and as such it is in the public interest that measures are taken to ensure it does not abuse its position.

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. The only effective way is to ensure that Sky is not allowed to dominate pay TV services on DTT in the first place by not approving the proposal.

Additional comments:

I did detect a slight bias / leading in some questions towards the proposal e.g. 'To what extent do you believe the proposal is likely to deliver benefit to the consumer?' invites a positive response. A more neutral question would have been 'To what extent do you believe the proposal benefits or detrimentally affects the consumer?'.