

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

Anonymous 169

**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?:**

Currently DSat, cable and IPTV are in a competitive mode regarding subscribers to pay tv services, DTT would appear at the moment to be outside this competition, although BSkyB would like to use DTT as a money making opportunity.

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

The proposal would deliver no benefit to the consumer. It would remove 3 free channels from the already limited availability of channel slots on DTT and place them under the control of the dominant satellite broadcaster, in effect removing choice from the consumer.

**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?:**

BSkyB seem determined to be THE dominant broadcaster in all pay TV platforms, and with only limited bandwidth on DTT any move into this arena by them is likely to reduce the scope for sustainable competition.

**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?:**

The role of premium sports and movie content would appear to be a profit opportunity for BSkyB. Their decision to use a "non standard" encryption / broadcast method seems to be an attempt to lock viewers into one supplier.

**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 are already dominant in satellite broadcasting, their being no alternative pay TV package for satellite viewing. They are unlikely to be content with just a part of the DTT pay platform, as demonstrated by their original buyout of BSB, their only competitor in satellite TV.

**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 believe that with only limited bandwidth available DTT should be used to give the viewer the widest available choice without payment. Many people associate DTT with FREEview, and don't understand why they should have to pay for it, BSkyB launching pay channels seems likely to threaten free tv as they attempt to dominate another TV platform.

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

FREEVIEW is the main name associated with DTT. To this extent having pay channels on DTT would damage the brand and by implication the DTT 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?:**

There is no benefit to this. BSkyB frequently run promotions where their set top box is given away to subscribers. Duplicating pay channels on two platforms REDUCES view choice, and takes away opportunities for future developments on Freeview.

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

Yes. BSkyB (or indeed any other supplier) should not be allowed to become dominant in the area of broadcasting. The viewer should be able to choose between suppliers, and the limited bandwidth available on DTT would restrict viewer choice if BSkyB were allowed to get a foothold on pay services.

**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?:**

I cannot see any conditions that could be imposed on BSkyB that would overcome the bandwidth limitations on the DTT platform.

**Additional comments:**