

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

Anonymous 189

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:

Yes

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?:

To a limited extent. Only a limited number (2%?) of people are unable to receive satellite TV. Many people do not want to subscribe to a service; note the success of Freeview. It is important that commercial providers are not able to "highjack" current free delivery mechanisms (eg Freeview) for their own commercial ends.

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

I cannot see any. The vast majority of consumers who want to view the "new" services could do this by cable or satellite.

All non-subscribing Freeview viewers will have services removed, and new services added with a currently-incompatible encryption system.

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 currently plenty of scope, but this could easily be damaged by the current Sky proposal.

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?:

Sports content may be a majority attraction, there is a sizeable minority that has no interest in sport whatsoever. Movies are likely to be delivered by another mechanism in the near future (eg VOD by download and temporary storage, or broadband delivery); consequently the "mixed package" of a conventional network may once again become important.

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, 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.

It would also set a bad example. These services need to be MUCH more stable (ie guaranteed in the long term) if the public is to have confidence in them. Consequently, Freeview (and Freesat) should either have no pay channels, or should require all providers to conform to common technical standards of coding and encryption; in particular, there should be NO exclusive deals with providers, which would allow the platform to support as many pay-TV providers as wanted to broadcast (with the provision that the platform should be largely free-to air). A range of different providers on the platform would increase consumer confidence.

It seems to me to be as ridiculous to allow Sky to be the only pay TV provider on Freeview, as it would be for a Local Authority to allow only McDonalds to run restaurants on its High Street.

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?:

To a significant extent

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

To a considerable extent (see also my response to Q5)

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?:

Essential. Most people who are not technical have difficulty with one STB, let alone two! Further, many TV sets do not have more than one SCART connector, so even physical connection becomes difficult for many people.

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

Yes. After the On-digital financial collapse, the possibility of a single pay provider on DTT suffering a similar fate cannot be ruled out.

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 platform should remain multi-provider.

Additional comments: