

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

Anonymous 196

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?:

In the pay TV area, Sky dominates the supply of programming in the UK. This is exacerbated by the fact that they also have the dominant technical service delivery platform (DSat). All other platforms are considered as also-rans when compared to Sky DSat when people are looking to upgrade to digital pay-tv.

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

While it may deliver short term benefits in terms of increased choice of programming over DTT, in the longer term this move by Sky will be detrimental for two reasons. 1) It will fracture the technical platform by introducing technology that can only be purchased from Sky in the form of a STB. 2) It will make it harder for new entrants to supply premium content over DTT because these new entrants may not have the resources needed to launch their own technical services platform and because history has shown that people do not want to buy a number of different STBs. Once they have bought the Sky STB they will stick with it.

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 very little scope for competition across DTT because most of the premium content in the UK is delivered by Sky which means that most people want Sky which means that Sky can define the technical platform on which those services are delivered.

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?:

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, it would have a detrimental effect.

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?:

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

Sky are renowned for trying to confuse the public. For example, their "FreeSat from Sky" offering which is marketed against the FreeSat platform as defined by the BBC and its partners.

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 beneficial. The main benefit of Freeview is the fact that it is now built into modern TVs. The technology exists, in the form of CAMs, to allow conditional access to programming which can also be built into TVs.

FreeView should become a technical services platform allowing for conditional access and premium content on an open platform for use by any provider. This lowers the barriers for entry into the market by new-comers and significantly opens up competition.

In 5 years time, a consumer should be able to walk into a shop and purchase a TV with a DSat input, a DTT input and a internet input. This TV should also have a number of CAM slots so that the consumer can purchase premium content from a

number of sources which can be delivered to his TV over DSat, DTT or IPTV. The benefits of such a scheme would be a revolution in TV programming, especially since the internet connection will provide the long sought after uplink bringing truly interactive TV.

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

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, I do not feel that it is possible to address these concerns through a set of additional conditions or directions. Ofcom should concentrate on defining the technical services platform rather than allowing Sky to define the platform for DTT (as it has done for DSat). Sky have said that they don't mind competition and will allow TUTV in their STBs, however this does not extend to them allowing their conditional access technology to be integrated into other manufacturer's STBs or TVs.

Additional comments:

I have no issue with premium content over DTT, but would object to a non-open technical platform developing on DTT or IPTV. It is a matter of regret that closed platforms have been allowed to develop over Cable and DSat. The Sky offering will no doubt try to define the technical platform for both DTT and IPTV which must be avoided at all costs. Ofcom has a duty to foster competition in the provision of programming which will not happen if Sky's proposal is accepted.