

Title:

Mr

Forename:

Steven

Surname:

Linnett

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

Mr S J Linnett

Representing:

Self

What do you want Ofcom to keep confidential?:

Keep nothing 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 consider that DTT's principal purpose is to provide Free To Air (FTA) channels and not subscription services. On Digital/ITV Digital failed because it did not provide sufficient value for money and choice in its pay services. Satellite and Cable have sufficient capacity to offer substantial choice for paying customers, as to services with broadband "on demand" content, however DTT FTA services have a limited

capacity to broadcast. Given that the purpose of DTT was to provide digital services for a one off payment, it would be regarded by the public as another stealth tax to reduce the channels which are FTA by increasing pay channels.

In terms of competition there is also a very strong argument that the dominant satellite and newspaper company, Sky, should be restricted from expanding into the DTT market as this could, potentially, lead to a dominant market position in information media which would be unacceptable in competition terms.

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

I do not believe it will benefit the consumer as most consumers have chosen freeview as there is no on-going subscription cost. The proposal would also reduce choice for consumers who cannot afford subscription television and the ultimate extrapolation of this proposal is that there would be the original five free to air channels with all other channels being pay television. Consumers wishing to watch the content available with subscription can utilise other platforms to do so. There are not sufficient consumers without access to either satellite, cable or broadband to warrant taking up further DTT capacity with pay 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?:

The original DTT platform was subscription based and failed due to the increasing financial power and market penetration of Sky. B Sky B remains the dominant market player in the television industry and has sufficient financial and market power to take over the other pay TV provider on DTT and establish a monopoly control of the DTT platform which is uncompetitive and could lead to market distortions. In addition, consumers have chosen DTT because they believe they will have access to a range of channels for free.

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?:

In my opinion I believe the DTT platform will be receive reduced rates in the beginning to stimulate market share but this in the end will lead to a monopoly situation developing that will be bad for programme diversity and consumer choice. Those customers who wish to receive this sort of content can do so either via satellite, cable or broadband. To dilute the free nature of the DTT platform any further will severely undermine public confidence in the Freeview branding and also lead to monopoly and market distortion conditions coming into play.

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 be unhealthy for Sky and associated companies to control satellite media, DTT media and the majority of newspapers. Under dominant monopoly players the cable providers would lose content and be ripe for take over. There is also the question to be addressed of the public, who were told this service would be free to air, being faced at the end of digital switchover with being required to pay for anything more than they got under analogue broadcasting. There must be choice of content which we have, but not choice across every 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?:

See previous answers - I believe it would lead to the public policy concerns.

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

Considerable confusion and also a sense of betrayal.

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?:

With digital switchover in progress and millions of boxes and IDTVs having been purchased, to announce that digital TV will no longer be available without new box and a monthly subscription would, I suspect, lead to a considerable consumer backlash.

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

There will be a lot of confusion and resentment when the potential move to MHEG4 is announced so combining that with reduced choice and more subscription services will disproportionately affect the elderly and those on benefits and fixed income who will have reduced choice and a second class television service.

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. There must be diversity of media providers. Conditions can be avoided, stretched and then argued in court leading to very expensive public sector legal bills to be met from the taxpayer. The avoidance of a monopoly provider is the key to ensuring

competition, choice, diversity and fair access to services across the national demographic.

Additional comments: