

**Title:**

Mr

**Forename:**

Jonathan

**Surname:**

Miller

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

Mr J Miller

**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?:**

They are clearly potential competitors. Consumers tend to opt for one of these solutions for obtaining TV - they rarely opt for more than one of them.

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

More consumer choice is a good thing. However, I am not convinced that removing Sky's current free to air services will provide increased choice for the majority of (non-Sky) consumers.

**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 considerable scope for competition, but only if the mechanisms for receiving these broadcasts are brought into line. It is unrealistic to expect consumers to make an informed choice about TV service providers if they have to obtain a new receiver every time that a new service is announced.

**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 key role is to provide something worth watching - the DTT produced by the BBC/ITV/C4 is tripe.

**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?:**

No, it would encourage more providers to use DTT to provide pay services, and this would be a good thing.

The negative effect is the requirement to purchase a new box every time a new service is provided.

**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?:**

Please don't forget that in order to operate a TV set to receive broadcast signals one must pay the BBC a TV licence tax. This means that every single consumer in the UK is already receiving a pay TV service, not a free service as is commonly supposed. Allowing Sky and other providers to operate pay services will mean that more and more consumers question the legitimacy of the BBC's monopoly on the licence fee - this is a Good Thing (especially in light of the BBC's recent deceits).

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

The biggest confusion would be "why do we have to pay the TV licence tax?" Letting Sky move into this market would, in my view, be a Good Thing. However, I have reservations about the withdrawal of a high quality TV provider withdrawing

from FTA TV provision, and leaving us with the BBC/ITV/shoppingTV squalid offerings.

**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?:**

Extremely beneficial. Viewers can gain access to a quality TV service that is not reliant on the TV licence tax.

This step will be a step towards true competition in TV provision in the UK, and will be a nail in the coffin of the TV licence tax.

Providers of DTT pay services should work together to ensure that their receiving equipment is compatible, to allow true consumer choice.

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

Yes, it will remove one of the key alternative players in the free DTT market. Sky are one of the few channels that provide worthwhile programming on DTT. Their loss will make Free DTT far less attractive. In particular Sky News is the only alternative to the BBC's rolling news service.

If

**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?:**

Yes, as the sole provider of pay services on DTT Sky should be subjected to conditions to ensure that it does not gain a competitive advantage.

It should be required to provide some of its quality services as free services.

It should be required to work with other providers who may wish to enter the market, to ensure that their STBs are compatible.

**Additional comments:**