

Title:

Mr

Forename:

James

Surname:

Morgan

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

James Morgan

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 find this question a badly worded as the competition is between companies that run services on these platforms, not between the platforms themselves. The public in general do not know/care how a TV channel is delivered, It its the content they are paying for. Realistically the competition is only between Sky & Virgin Media & due

to the technical constraints of DTT it will never have the bandwidth advantage Sky & Virgin have.

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

I see no benefit whatsoever to the consumer. It simply serves to reduce choice for the vast majority of people who have no interest in paying for TV. If people wish to pay for TV then satellite or cable is available to virtually all. This proposal only serves to reinforce Sky's control of the pay TV market in the UK.

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?:

2 pay TV services running on DTT with incompatible hardware seems very unlikely to produce sustainable competition. The lack of available channel space on DTT means it will never be able to compete with Satellite or Cable based services.

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 have always been used as the main reason to sell pay TV services & the fact that Setanta are now offering services on DTT is why Sky are so keen to muscle in and stamp out the competition. The success of Freeview is also worrying Sky & so removing 3 channels from the service also serves to limit the appeal of Freeview.

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 has repeatedly used its financial muscle to stamp out competition. This is why it is currently fighting with Virgin media now that Virgin/NTL have got their act together & are presenting a viable alternative service.

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?:

In the consumer's eyes DTT equals Freeview, I'd imagine that only a tiny percentage of people realise Setanta/TopUp TV exist. Sky have historically pumped vast amounts

of money into marketing their products & so the likelihood of consumer confusion when Sky start shouting about Sky Sports through your aerial is guaranteed.

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?:

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?:

Nobody has yet had the guts to put constraints on Sky so the chances of it happening now or in the future seem very slim.

Additional comments:

Ofcom's job is, or at least should be, to serve the UK public. Allowing the removal of 3 channels from the already (comparatively) limited choice available on Freeview would obviously not serve the majority of the public, & only serve to further enforce Sky's dominance of TV in the UK. The radio space these channel use does not belong to Sky or Ofcom but with the people of this country. Switching 3 channels over to pay tv services does nothing but rob the majority to serve the minority.