

**Title:**

Mr

**Forename:**

Paul

**Surname:**

Newman

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

Mr Paul Newman

**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?:**

DTT should not be in competition with any other platform as it should not have a pay TV element on it. At present receiving TV pictures through an aerial is free, this should remain the same after DSO, people expect TV to be free via this form of transmission and so to ease potential confusion through the switchover process.

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

This proposal will bring no benefits as it will remove 3 free to view Sky channels from the Freeview platform and replace them with 3 or 4 pay TV channels, the present plan means that a new box will be required. For some people this proposal will only add to confusion surrounding what is available on the DTT platform and whether anything is free at all.

**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 DTT platform has got limited bandwidth so any competition will diminish the overall product. The aim of DTT following the collapse of ITV Digital should be for Free channels only, hence the platform is often referred to as Freeview. Not everyone is aware of how the multiplexes are split between various companies.

**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 DTT has limited bandwidth, so any pay TV element will result in competition to buy as much bandwidth for pay TV channels and result in fewer channels being available on the Freeview side of the platform.

**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 are already seen to hold a monopoly in the pay TV market, the ongoing battle with Virgin Media over the Sky basic channels is evidence of this. Should Sky gain pay access to the DTT platform this will only strengthen their position and so the whole platform is likely to suffer, not only other pay services but also the free services as well.

**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?:**

The real concern which needs to be examined is why do Sky want to launch a pay TV service on the DTT platform, what is their objective? When the DTT platform relaunched following the collapse of ITV Digital it was outlined by the regulators that Sky should not have control of a multiplex. They were content with launch free services then, but now they have seen the success of the Freeview brand they are wanting to profit from this.

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

This plan could result in a downturn in digital take up as some people who only want free TV will find this new service to be very confusing, this is the case with various members of my family with how the DTT platform is at the moment. Not everyone follows the developments in the digital TV market closely, some people still do not know that DSO is happening. People know Sky as a pay TV operator, some people will associate Sky being on the DTT platform with pay channels as the whole platform is pay to view.

**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?:**

If pay channels need to appear on the DTT platform then it is essential that one box will receive all free and pay channels. If you have a set-top box with a card slot and are suddenly told that you can not receive this service people will begin to think what is the point to converting to digital tv apart from making a lot of money for the technology companies.

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

The greater the monopoly that BSkyB can create the bigger the influence they will have of what message is transmitted, also of what channels they wish to broadcast. It is vital the the DTT platform is a competitor of Digital Satellite, meaning Sky should not have an influence on the DTT platform other than broadcasting 3 free channels.

**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?:**

Once Sky have gained a monopoly on the DTT platform it will be too late to influence them. They already have too much power on the Digital Satellite platform, they should have the responsibilities of platform provider and content provider split.

**Additional comments:**

Anyone could have guessed that Sky would do this once Freeview has overtaken Sky Digital as the leader of how people receive digital tv. They have successfully clouded the water as to what is available on the DTT platform.

DTT should be for free channels only, it can then be marketed as the direct replacement for analogue terrestrial TV, meaning no confusion for any members of the public.

