

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

James Pinney

Representing:

Self

Organisation (if applicable):

What do you want Ofcom to keep confidential?:

Keep part of the response confidential

If you want part of your response kept confidential, which parts?:

just my email

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?:

With the exception of the TUTV and Sentanta components DTT is currently a free service. It is this which makes DTT attractive to customers who don't want to/can't afford to pay anything extra each month (or wish to be tied up into sometimes lengthy contracts!) but still want to have a variety of reasonable quality programming. The other three platforms (DSat (with the exception of the FreeSat offering), cable and IPTV) are actively competing for customers who are prepared to pay extra to have a wider range of viewing choices (e.g. sport) perhaps because they are unsatisfied with the free DTT offering or unable to receive it.

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

I think changing the present system will NOT deliver any real benefits to the majority of consumers as they will NOT be taking up any pay TV on DTT. It will only lead to a decline in the number of free channels available to this silent majority and reduce programming choice.

For example, the ITV 24-hour news service has already been cut from DTT and if Sky News is no longer freely available there will only be BBC News 24 left. Also, squeezing more channels into the same bandwidth will increase the "cartoon graininess" already being experienced on some of the non-BBC MUXes.

I believe Freeview's success has surprised Sky. The manufacture of Freeview boxes has been open to any manufacturers. This competition has helped to reduce the price of Freeview boxes below the £20 mark and directly led to the success of Freeview.

Sky's requirement that customers will need new hardware to receive their pay TV service (on top of the monthly subscription) and that it will not be interoperable with existing DTT pay TV from TUTV/Sentanta is a backwards step. This will not encourage the sustainable long-term development of DTT and seems to be an attempt to "divide and conquer" from Sky.

From the Sky perspective a dead or severely weakened Freeview might encourage people to switch to its DSat offerings rather than the current "churn" away from pay TV to freeview. I think this is Sky's thinly veiled "thin edge of the wedge" to try to "encourage" such a move.

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 limited scope for any form of pay TV on the DTT platform as things currently stand.
Out of around 30 friends and families I know with freeview only 1 household has tried the TUTV.

The choice should be between free DTT programming and additional premium TV on the other platforms NOT between a gradually reducing free offering on DTT and DTT pay TV components which only a minority will take up.

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?:

Sport will be used as the main carrot to draw people onto pay TV on the DTT platform. The cost of bidding for sporting events will increase with less and lower quality sport being shown on free DTT than is currently being broadcast.

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, the effects would be detrimental in the long-term.

I believe Sky being sole provider of pay TV on the freeview would allow them to stifle any emerging competition from other broadcasters before they could prove to be an effective challenge. They have huge economies of scale and would be able to effectively cross-subsidize their DTT pay-TV offering if needed (at least in the short-term).

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?:

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

There is current public confusion with analogue switch off, High Definition TV, a possible future switch from MPEG-2 to MPEG-4, and a FreeSat offering from BBC/ITV to compete with the FreeSat offering from Sky. I think Sky's current proposal is an unnecessary extra level of confusion.

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?:

Sky and existing DTT pay TV content are not beneficial. Limited Bandwith that could be used for providing free DTT broadcasting is tied up for the benefit of a minority of viewers.

Please do not bow to pressure from Sky. Stop Sky from developing pay TV on DTT to the detriment of the existing service. Please keep the existing Sky channels. Also consider removing TUTV/Sentanta and replacing these with free-to-air channels.

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

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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 don't think this can be addressed with the current DTT platform.

Additional comments:

The clue to Freeview's success is in the name
FREE VIEW! not PAY VIEW!

Please don't undermine it any further by creeping "pay-TV"isation but keep it FREE
to VIEW as it was originally intended!