

Title:

Mr

Forename:

Richard

Surname:

Smedley

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

Mr Smedley

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 do not consider DTT to be competition with the other forms as it offers the lowest amounts of channels. However, the space on DTT is a 'battle ground' as many broadcasters wish to broadcast for free on this platform when there is space not available. I believe that all other forms (e.g. DSat, cable, etc...) are in competition and

it is down to the customer which of these to use for digital TV if they additional channels to what are available on DTT.

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

Although I know that some may consider this option, I believe that there are no 'real' benefits from this plan. If viewers wanted to view these channels they can just as easily get them directly from D.Sat. I believe that the loss of SKY News, SKY Sports News and SKY Three cancel out any benefits. The so called benefits to consumer choice (from SKY) are worthless as the additional range of services can be viewed across the entire country on another platform at a similar price and there are other broadcasters who wish to have space on DTT to broadcast a range of services targeted at many audiences which do not have the space to do so. These services from other broadcasters would be free and provide more variety available to everyone, whether or not they wanted to pay for their TV

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?:

I do not think there is any reason for pay TV to be on DTT. There are companies desperately wanting space on DTT to broadcast their services for free or for longer hours and they cannot as the space is being used for DTT. Most of the people who have DTT do not want pay TV which is why they chose DTT (aka FREEview) instead of a pay TV provider (e.g. D.Sat, cable, etc...). I think that pay TV is a good idea if it is on a platform that people are willing to pay for. Most DTT viewers neither want or need pay TV and if they did they could easily use a specialist pay TV provider (e.g. SKY) for it. I think pay TV is a good sustainable product, if it is on a pay TV platform (not DTT)

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?:

I can see the interest for watching premium sports and movies on the DTT platform, however, if a person desperately wanted to watch these extra channels, they could so (for little or no extra cost) along with a lot more channels via one of the pay TV platforms. Therefore, I do not consider there to be much competition due a low amount of customers willing to pay for TV on the DTT 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?:

I think that if SKY were to become the only provider of pay TV on DTT, this would not make much difference as the majority of people I know got DTT under the impression it was all free (from the name FREEview) and wanted digital TV for free. If they had have wanted pay TV, they would have got a subscription to a pay TV provider (e.g. SKY) - hence, there would not be a large amount of people (I think) that would use a pay TV service. As SKY operate their own the UKs only large scale pay TV service on D.Sat, if there were also to have pay TV on DTT, this could lead to the demise of the pay TV on the cable TV system.

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?:

I think that there would be little competition (in a bad way) due to a low amount of customers. However, this competition would reduce the custom on all other pay TV across all platforms as the providers as will lose the competitive edge to SKY who will dominate the pay TV industry (close to a Monopoly).

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

I think there would be a great deal of consumer confusion as:

- 1) All current idTVs and DTT boxes cannot receive MPEG4 causing all consumers to purchase new equipment (most of the public do not think a lot of boxes is good)
- 2) Most people got DTT on the assumption that it would be free and always free. I have met many people who are already very confused and upset that they cannot receive the current pay TV channels on DTT for free
- 3) Additional boxes being sold in a store cannot be good as there will be confusion about which one to purchase
- 4) The digital switchover is already confusing some, if they need to purchase additional equipment and pay a subscription to view some channels they would be dis-pleased.

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?:

I think this is an important issue. Most customers do not wish to purchase additional equipment after being sold DTT boxes and idTVs as future proof. Being told that new equipment is needed is unthinkable. Many people still have not made the switch from Analogue to Digital, imagine telling them that they are going to have to do that and then switch again (purchasing more new equipment at additional cost) from DTT to DTT-2 (in other words).

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

I think the majority of the public do not even know about this proposal, let alone think anything of it. However, if overnight they lose three channels and are given pay TV

replacements, I think there would be mass complaints and questioning of whether Ofcom has any control of what broadcasters do. Many people already feel mis-sold DTT after the initial introduction of pay TV services from Top-Up-TV, removing free channels and replacing them with pay channels which also require a new box is not going to be good news to the majority who just want as many channels as they can, for free, through their existing aerial. Many people feel the UK's adoption of DAB was poor, imagine the amount of complaints, bad publicity and concerns over Ofcom's policies.

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?:

I think that if SKY was to be the only provider of pay TV on the DTT platform that the other pay TV businesses would suffer (e.g. Top-Up-TV). I also think the free-to-air broadcasters would suffer as less people would be willing to get freeview as they would see it as D.Sat with less channels.

The only way I can see the detrimental effect of SKY's proposal is to stop this happening or force them to purchase one of the 'freed up' frequencies after digital switchover to launch their own SFN (single-frequency-network) using MPEG4 video in QAM64 modulation in 8k mode. As well as this, they should keep their current services on DTT free-to-air or sell off the space to another provider to provide similar content. In this way, current DTT is not effected and is a large benefit to the majority of consumer who just want free-to-air TV.

Additional comments:

Yes. Just for the record, I feel this passionately about this subject. I have a keen interest in broadcasting, the technology behind it and what my opinions are on the subject. I therefore understand that SKY are only doing this for their own profits and it is the general DTT audience that are losing out whilst SKY try to become the main broadcasting medium again - this proposal only came about when the number of DTT homes went above the number of SKY TV homes - coincidence?