

Title:

Mr

Forename:

Mark

Surname:

Storey

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

Mark Storey

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:

Yes

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 see DTT as being the direct replacement for analogue tv. Pay TV already has various methods of distribution DSat, cable and IPTV, and should not be allowed to grow on DTT as it reduces consumer choice of free to air channels.

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

I do not see any benefits to the consumer just an erosion of a choice of Free to Air channels. The choice of either cable or dsat allows the viewer a choice of a competitively priced package of channels. A DTT option would not be value for money, charging a premium to receive reduced hours channels and overall reducing choice. I feel that SKY are using their power as a major digital tv competitor, to reduce the "attraction" of DTT and weaken the take up of DTT.

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?:

If the consumer required more choice of pay channels, in addition to the current DTT Free to Air channels, Cable or SKY provide an adequate service, and I feel if the consumer wanted to pay for extra channels, they would already have done so. I feel that Pay Tv is nearing the limit of subscribers that are willing to pay for.

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?:

DTT has a limited bandwidth to provide a full range of sport and movie content to subscribers. Looking at the viewing figures of sport and movie "events" on SKY, their ratings are in the very low millions, and therefore I believe that there are not enough viewers to warrant a similar service on DTT. SKY already has saturation point for sports. If a sports fan wants to see more sport, they will simply subscribe to SKY or Cable.

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?:

Allowing SKY to become the sole provider of pay tv on DTT is a very bad move. Consider the position of DSat in this country. SKY have acquired a monopoly on DSat broadcasting, and have reduced the choice of receivers that are available to the public. Why should a person requiring a DSat PVR have to pay the premium price for a SKY branded box in order to simply record their choice of programmes, some of which will most probably be from FTA channels. If SKY were allowed to do the same on DTT, a whole new range of boxes would be needed, SKY would be in a position to charge whatever it feels, for content that is available elsewhere at a cheaper option. Currently there are 2 pay tv operators on DTT, using a standard encryption service. SKY would not use the current encryption standard, as they have already stated, and this would cause confusion for the general public who would have to buy another box, to continue to receive pay broadcasts.

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?:

DTT should be a FTA mix of general entertainment channels and specific genre channels. The removal of SKY News on the DTT platform reduces viewer choice and may allow what would be described as "biased news". Not everyone likes the style or content of BBC News 24. If SKY wish to remove the access to a large number of people to SKY News, then their licence to broadcast should be removed from DTT, and allow another news channel provider a chance to broadcast, balancing out the coverage to the viewer.

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

The loss of channels to a consumer can be confusing. To be then told that "to continue watching SKY News, you will have to buy a new set top box" will lead to many people just wondering what to do with their old box. Should they keep it, will it work? Will the other channels disappear as well? People are all different, and not everyone is technically minded. A simple choice of set top boxes are available cheaply now. Adding another box from another provider would add more confusion along the lines of "I don't want SKY, why should I have to buy SKY, I just want my normal channels"

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 SKY are eventually allowed to launch a PAY TV operation on DTT, then they should use the same encryption and boxes that are currently available. A TV Giant like SKY which already has a monopoly on PAY DSat in this country must not be allowed to dictate what it wants to do, and how viewers should receive their channels. SKY chose not to launch a DTT Pay TV offering, and now see DTT as a threat to their DSat Pay TV service. Removing channels, requiring new set top boxes for their PAY TV selection, as well as the other pay TV selection weakens the DTT ideal, and causes confusion. One box, should be all anyone should need, and have a choice of price and where to buy their box from.

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

Allowing SKY to do this would allow an even greater PAY TV Monopoly in this country. The cost of Sports and Movie content in this country has spiralled out of control, removing choice from the viewer and requiring them to pay more to watch what they would have been able to, for free many years ago.

SKY have continued to grow despite obvious calls for their Monopoly to be broken. If DTT is their next target, they will soon become the only other broadcaster in this country. Dominance of PAY TV does not equal consumer choice.

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?:

SKY should never be allowed to become the sole provider of PAY TV on DTT. It would be anti competitive, and reduce consumer choice. If TopUP TV were to end, their slots on DTT should be offered to another Pay TV Provider - Not SKY. A balanced approach has to be made. SKY are too powerful already, allowing them to control DSat pay tv, and DTT Pay Tv would seriously undermine the FREE DTT prospects that we currently have.

Additional comments:

I feel that if SKY wish to remove SKY Sports News and SKY Three - reducing consumer choice of FTA Channels, they should be forced to leave SKY News as a FTA channel, and not allow it to be changed to MPEG4 transmission.

Freeview and DTT is there to allow the consumer a choice of whether they wish to pay for extra channels or not. They have paid for a set top box to receive the current channel selection. IF SKY feel that their channels are worthy only of an additional payment, then their channels can be found via the DSat route. The SKY channel frequencies on DTT should be released to other FTA channel providers to allow them to provide an alternative service.

SKY dominate Dsat, and allowing them to continue along this path, weakens DTT and gives more control to SKY.