## Title:

Mr

## Forename:

Paul

## Surname:

Thompson

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

Mr Paul Thompson

## 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?:

At the moment, DSat and cable are clearly the leaders in this field, and there is no confusion amongst the public that these platforms offer pay services. The capacity for DTT to compete with these is limited at present in terms of the very small amount of bandwidth available by comparison. In my view, the overwhelming majority of the public do not see DTT as a pay platform at this time.

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

Only a small proportion of the population are truly unable to receive DSat signals. It seems odd and rather suspicious that BSkyB do not show any sign of offering a similar 'lite' service via this platform. For that reason, I suspect that delivering benefits to the consumer is not the primary motive here.

My view as to whether the proposal is likely to deliver benefits is that in the short term I am not sure whether a tiny number of offerings will be sufficiently attractive to a sufficient number of DTT viewers to make the service worthwhile. My worry is that over time, more space would be taken over by pay channels leaving less choice for the free-to-air viewer.

## 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 have no particular comment to make about other platforms, but I would suggest that it was not in the spirit of the reorganisation of DTT services following the collapse of OnDigital in 2002 to offer any pay TV services on DTT. Top-Up TV only managed to do so by utilising a very limited amount of space on the multiplexes which had not been re-allocated in that year. It has inevitably been the case since that time that confusion has been created amongst people who associate the term 'Freeview' with DTT and are therefore confused when they hear about pay TV services on the platform. In many cases this has not been helped by sloppy reporting in parts of the media, referring to 'pay services on Freeview'.

In my view, there should be no further confusion added until DSO has been completed. At this point there will be two additional UHF channels available at the main transmitters, and this is the rightful place for pay TV services - possibly using a more efficient form of transmission than is presently feasable for the Freeview service due to the limitations of existing equipment. I have a feeling that is what was originally intended.

## 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 have no particular view on this.

## 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 believe the main concern is the effect one dominant provider might have in persuading free-to-air channels to give up this status and become part of a pay-TV package, thus reducing the choice available to those who are not able or willing to subscribe.

I am not too concerned about other platforms, but I do believe special care must be taken with DTT as it is seen as the basic replacement for analogue TV.

## 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?:

See my answer to Question 3. I do believe that there is already a lot of confusion about DTT, and one of the main problems is that many people see 'Freeview' and 'DTT' as one and the same. Many of the remaining 'digital refuseniks' are still very wary of what the digital switchover is really all about. So when they hear about 'pay services on the Freeview platform' (which is how it is often incorrectly reported), they are naturally suspicious that they will have to pay to receive anything as a result of going digital. In my view, this has been a bad thing, an unwelcome distraction from the process of DSO and there should be no additional confusion until the switchover process has been completed.

## 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?:

Clearly the less additional equipment that is needed, the better. In my view, the DTT platform simply does not have sufficient capacity at present to support several rival systems.

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

I believe that it is important to retain not only the policy but also the understanding amongst the population that free-to-air TV in the UK offers a basic TV service available to all which is second to none when making comparisons with other countries. The switch to digital television will, after the inevitable traumas of DSO are behind us, significantly enhance this offering. Great care should be taken to ensure this is not eroded by the reduction in capacity that would result from pay TV services moving in to occupy space which had previously been the domain of free-to-air 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?:

If this proposal is given the green light, it might be difficult to stop BSkyB from becoming the only provider of pay TV on DTT. This might be a controversial view, but for many decades, strong commercial broadcasting organisations have traditionally given something back to the society which has allowed them the space and freedom to prosper. This has tended to be in the form of programming which doesn't make them a profit directly, but which buys 'goodwill' amongst the public at large. Commercial TV and radio providing high quality local and regional news services would be an example of this. It is worrying now to see one very big provider which has for the past few years made certain services available free-to-air, now proposing to withdraw these, do nothing further on this basis and instead demand payment for everything. Of-course we are in a much more competitive age now, but in my view there should still be some 'social price' to pay for allowing any dominant position to develop in pay services on the most popular TV platform. Perhaps continuing to make a news service freely available to all might be the appropriate price in this instance.

## Additional comments:

I have no objection to pay TV services on the DTT platform at the appropriate time and in the appropriate place. In my view, the additional capacity available at main transmitters after DSO offers the right place and time to develop these. There has already been too much confusion caused by pay services on what most people still refer to as 'Freeview'. There should not be a deliberate attempt to muddy the waters still further.