

Title:

Mr

Forename:

John

Surname:

Walker

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

John

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?:

e-mail address

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:

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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 believe that there is already adequate competition between the Satellite and Cable pay TV providers. If there is any gap in the market then it would be for a new Satellite Service able to carry full HD services, along with interactive Internet based services. Freeview is as indicated in its name fulfilling a unique subscription free service, which has already been diluted too much with top-up and set-top. In particular Sky already has a dominance in the pay TV market, and should be prevented from further increasing their stranglehold.

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

It is difficult to understand any benefit to the consumer. A now free service will go over to a paid for service with a separate box provided. Sky and Virgin provide competing services almost across the country already. It would be of greater benefit to provide more free services on Freeview, for those of us who choose not to pay subscription 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?:

Freeview is destined to replace its analog equivalent over the next few years. We already pay a licence fee that covers the transmitter network and BBC / Channel 4 content. Being able to sell off the frequencies is going to bring in more revenue. Why then does Freeview need to become payview? Even if it does people will probably switch wholly over to Sky or Cable to get better channel/ payment value.

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 primary benefit of live sports is high quality picture and sound, to add value this needs to be HD quality, Freeview is the platform least able to provide this. For movies, the future is definitely view on demand, either by the multiple broadcast (Sky) or better still direct data stream over cable. Freeview is more suited to the traditional broadcast content, which has value in its continuity and mix of programs flowing together in a continuous time stream.

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 and Virgin are already dominant in their own platforms, and are at war. Allowing the war to spill over to Freeview, and trying to make it into a mini pay TV service carrying the same content as the other platforms for a fee, will just lead to a mediocre poor man's SKY, and deny the UK of a forward thinking public service.

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?:

Freeview is at the moment lead by the BBC, with it's public service remit. This is in stark contrast to Sky and Virgin, and provides a vital service for those that do not want subscription, wall to wall sports, and access to a lot of films that have already had DVD releases. There has been a gradual decline in the number of freeview channels providing free to view content that is worthwhile. We should be boosting the service at this switchover time, not allowing half of it to become pay only or shopping/quizz channels.

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

At the moment the switchover to digital TV campaign is in full swing. The public has been encouraged to get Freeview set top box's and new TV's with digital tuners in. To now go back and say, hey you don't also need a card slot, you now need a new box, is going to cause not only confusion but a loss of trust in the process. Just imagine when someone had bought a nice big digital LCD screen, and then has to hang a new box off of it somewhere (you can't use a settop box with a flat screen it just falls off).

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?:

It may be beneficial to have some general channels like Sky one to three and Sky news etc. on freeview, as it would also be good to have the replacement channels that Virgin are using, and some US/European channels, plus more news, light entertainment, and music like Classical or VH-1, that cater for different tastes and cultures. However, they should be available free to all, and not replace existing substantive content channels. Home shopping and Gambling are not really what it should be all about.

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

As a member of the public I am already concerned. If it goes ahead I my concern will widen to include the regulatory body that allowed it.

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 accepted I would expect it to also stipulate that the major providers contribute to a public fund used to provide independent production companies with

the resources to make good quality programs that can be broadcast on Pay TV first, followed closely with being broadcast on free channels. I would also expect them to provide their US imports to free channels after being run on the Pay TV side.

Additional comments:

It does not make sense to have pay tv on Freeview. It will allow the Satalite/Cable war to expand, and it will limit the Choice to the viewing public, particularly those disadvantaged by age, disability, and low income. It would make more sense to allow them to bid for the frequencies that will be freed up by the digital switchover, to provide alternative terrestrial broadcast services. This way they could also look at the possibility of netbased broadcasts over their own Wimax system.

P.S. You are welcome to use any ideas in my submission as long as I am credited, and provided with a cut of any resulting income.