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Justin Moore
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Dear Justin,

Below are our comments on Data Limits on digital terrestrial television multiplexes: Consultation on Draft Guidance ('the Consultation'). We would be very happy to discuss these comments with Ofcom.

BT welcomes the opportunity to respond to the Consultation. We viewed the Consultation with interest in the belief that it may help to clarify some aspects of the data limits on DAB.

We believe that it is very helpful to the industry for Ofcom to clarify the license obligations in this way.

BT has recently launched its Movio mobile TV service which uses a DAB Multiplex to broadcast TV pictures to mobile phones. As part of this service BT provides an EPG called 'What's on' which provides listings of DAB radio stations and the TV channels which form the Movio service. The DAB radio listing information is generated by the radio stations and is broadcast by BT without BT exercising any editorial control over its content. The TV listings are produced by our content providers who provide us with their TV channels, for example BBC 1, BT aggregates them formats them according to the ETSI specification for DAB EPGs and broadcasts the combined radio and TV EPG listings under a TLCS license.

In the Consultation Ofcom indicates its intention to treat EPG broadcast on a digital terrestrial television multiplex (DTT) as part of the 90% reserved for program services. This is within the scope of the Broadcasting Act 1996. As the EPG is program related this is a sensible approach which BT fully supports.

As the Consultation treats an EPG on a DTT to be part of the 90% program services reservation, it would seem to us consistent for the same policy to be applied to DAB multiplexes also.

Our understanding of the Broadcasting Act 1996 is that a radio EPG would qualify as a program listing and therefore part of the DSPS for the station. On this interpretation the EPG for the radio stations would qualify for inclusion in the 70% but the EPG for the TV channels would not qualify.

BT would welcome Ofcom producing a parallel set of guidelines for DAB multiplex which potentially raises more complex issues due to the converged nature of the multiplex which now carries DAB Radio, EPG, DLS and also TV services under a TLCS.

We welcome the clarification of the methodology for the determination of the capacity allocated to data. While the Consultation was not specifically about DAB multiplexes we would like to comment that in our opinion capacity on a DAB multiplex should continue to be measured in terms of CUs. A CU is the means by which capacity of a DAB multiplex is used rather than the payload capacity that a broadcaster obtains measured in kbit/s. If through the use of advanced codecs, and other innovative technologies such as turbo codes or statistical multiplexing, gain an effective higher payload bit rate then the broadcaster should be able to enjoy the benefit it has achieved through investment in innovation. BT Movio's view is that the appropriate measure of capacity should continue to be the CUs used.

Yours Sincerely

A A Reeder