

## Consultation response form

### Your response

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Question	Your response
<p><b>Question 1: Do you have any comments on our proposed guidance on European works requirements?</b></p>	<ul style="list-style-type: none"> <li>• BT TV have a robust on-demand scheduling system that allows us to store the information regarding a title's origination. For most of the content, we hold this information. To provide the report to Ofcom for European works the team at BT will need to manually extract this information and check against a checklist of countries, that are part of the EU member states and the ECTT, determine what is a 'European Work'. If the guidance is to be mandated BT would look to make this report automated. This would incur a system development cost to BT.</li> <li>• There may be some cases where content providers do not provide us with the information on origin. BT ask Ofcom to provide a solution to this in the guidance.</li> <li>• Exemption – BT has some additional questions that we feel need further clarification:             <ul style="list-style-type: none"> <li>○ [§&lt;]</li> <li>○ Low Turnover – BT needs further clarification here - BT Store content would be considered separately from SVOD and Sport content because it is transactional, and SVOD/Sport are subscription. Customers are also required to have BT Broadband to access BT TV / BT Store, therefore it is difficult to ascertain at what point VOD turnover starts or stops. As the ODPS part of our business is a niche service that is part of a larger entity, revenue from other parts of the business may well be irrelevant. We believe that low revenue exemption should be based on the ODPS income.</li> <li>○ BT Sport content – To Ofcom's guidance around the 30% quota requirement not including sports events, BT would like to clarify with Ofcom if a similar definition to our linear EU works exemption should apply to our on-demand content and therefore BT should make certain sporting programmes exempt?</li> </ul> </li> </ul>

	<ul style="list-style-type: none"><li>• Prominence - We welcome Ofcom's approach that there is no one size fits all to prominence. However, BT are concerned that enforcing European works prominence will have an impact on revenue and our contractual negotiations with content partners.<ul style="list-style-type: none"><li>○ There are some areas of the UI that are not within BT's control, such as universal search being based on the customer searching for a specific title and BT Player UI and the YouView UI feature carousels driven by algorithms – eg Most Popular, Last Chance To View, Recommended For You (based on a viewer's viewing history). So, enforcing prominence here would be tricky.</li><li>○ For those areas that are within our control prominence is generally given because it will drive revenue – so new release movies or new TV releases. In our experience the Hollywood blockbusters will drive more revenue. We also have contractual marketing commitments to some Hollywood studios to give a certain amount of prominence to their content.</li><li>○ It's worth noting that we do have areas of all content listed A-Z or by recency, where everything has equal weight and that European movies have equal weight across the wider content catalogue.</li></ul></li></ul>
<b>Question 2: Do you have any comments on our proposed guidance on the steps Ofcom will take to secure compliance?</b>	No comments here.