

Question 1: Do we agree with Ofcom's preferred proposal to adopt a fees structure that shares the cost of regulating ODPS only between the largest providers (Option 4)? If not, which alternative option do we consider would provide a proportionate, fair and pragmatic basis for a fees structure?

We consider the fees structure acceptable and fair **IF** the turnover assessment is based on the VOD platform itself or the group digital media turnover for which they're both responsible to OFCOM for. We are a cinema company with a very small digital platform presence and it would be very unreasonable and highly disproportionate for the turnover assessment to be based on Curzon cinemas itself because it would include the physical goods, the sale of tickets and of F&B in addition to our small VOD platform. Cinema ticket sales and F&B are not regulated by OFCOM and these make up the majority of the Curzon Cinemas revenue - **on this basis, we would even expect to have a fees exception from OFCOM.**

We are not like BT, SKY, Virgin Media or sole digital companies (VOD providers) like Wuaki TV whose majority business is regulated by OFCOM.

Please note that this point was raised by Philip Mordecai (Director of Curzon Home Cinema) at the last TODIF meeting.

Question 2: Do we agree that Ofcom's costs estimate is appropriate in relation to carrying out their relevant ODPS functions for 2017/18, and that the estimated fee for 2017/18 is sufficient to meet but not exceed such costs?

Yes.