

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

Anonymous 1

Representing:

Self

What do you want Ofcom to keep confidential?:

Keep name/contact details/job title 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?:

DTT as the replacement for Analogue services should be kept out of the Pay TV competitive market. Even after SO the terrestrial spectrum is fairly restricted in comparison to the other propagation methods (i.e. Satellite, Cable and IPTV) and should be used only for Free to Air services.

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

Minimal, the proposed channels are already available via Satellite or IPTV.

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?:

Market is already well catered for and saleable content is being stretched very thinly or heavily duplicated.

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?:

As stated above (Q1) premium and paid content should be restricted to Satellite/Cable and IPTV.

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?:

Undoubtedly, if Sky use the Videoguard encryption system this will allow them to monopolise the production and sale (or give away) of Sky Picnic STB's these may not receive TUTV or Setanta services.

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?:

Will probably lead to closure of competing Pay services on DTT

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

Many consumers particularly the elderly have already purchased STB's in readiness for the switch-over introduction of new hardware requirements at this stage would be disastrous. Also the effects on MPEG2 transmissions of Sky's eventual requirement for MPEG4 is not known.

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?:

If the non-preferred option of Pay TV on DTT is to be continued then one STB is essential, and that STB should be produced by companies independent from Sky. A Sky marketed STB would be able to position Freeview channels (and possibly TUTV) as basic, with the Picnic service as a desirable "upgrade"

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

Loss of Sky News as a free to view service will lead to the BBC being the only source of rolling 24 hour news on DTT, this is not acceptable and would require that some other independent news channel be broadcast, possibly Euronews as ITN no longer broadcast.

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?:

No, as stated Pay TV in general should be confined to Satellite, Cable and IPTV where resources are not so limited.

Additional comments: