

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

Anonymous 14

**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?:**

These services are clearly in direct competition. It is very rare indeed for a household to have more than one pay TV service, and this a choice is made across all available platform options as to which service is best for an individual, irrespective of the method in which it is delivered.

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

I see little benefit to Sky's proposals. The one benefit may be a low-level entry into the pay TV market, allowing some users a cheaper and simpler option than is available on DSat or cable, however this will have a limited market due to the inferior range and choice which will be offered when compared to Dsat, cable or even 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?:**

Across all platforms, it is sustainable and important to have competition and consumer choice. However the limited bandwidth available on DTT (particularly when viewed in light of Ofcom's recommendations not to reserve extra spectrum after switchover) means that a proliferation of pay TV services serves only to limit the availability of bandwidth for free TV services, which is clearly detrimental to the consumer in the long run.

**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?:**

It is my view that premium content should not be prioritised on the DTT platform, and rather that the available bandwidth should be used to provide the maximum value to the maximum number of people. There is plenty of space to offer movies and sport content in premium packages on DSat and Cable, as well as hybrid DTT/IPTV solutions, and so offering a more limited service via DTT seems almost pointless, particularly when doing so requires the removal of freely available channels.

**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?:**

I think that this would be very detrimental to competition, putting Sky in a position of being the only pay TV provider in non-cable areas. IPTV solutions will help avoid this, but the unavailability of sufficient broadband speed in some areas makes these unviable too, leaving Sky with an almost monopolous position in these areas. In a world where Sky owned a huge majority share of pay TV customers, other providers would find it hard to establish new 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?:**

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

I think that consumer confusion could be a serious issue. Freeview's advantage at the moment is simplicity, and there is currently an easy distinction between Freeview on DTT and pay TV services, predominantly delivered via satellite or cable.

**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?:**

I think this is a minor issue. Most pay TV services provide the consumer with a STB, and it is perfectly reasonable that a pay TV service require its own STB. If Sky's

service was able to use MPEG4 encoding to increase capacity, by requiring users to upgrade to an MPEG4 STB, this would be acceptable.

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

**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?:**

I think this would be a very complex route to take, and largely unbeneficial. To my mind, allowing Picnic on DTT at all is the wrong decision.

**Additional comments:**