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

Anonymous 145

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?:

Effective competition means consumers have choice. For consumers that do not want a subscription service there is little choice. Free DSat for example, is often unavailable to tenants or residents of flats. DSat is expensive to for homes with multiple TVs. IPTV is not widely understood in the population at large. Therefore in terms of the market for 'free DT' there is little competition.

This is particularly true for the less well off in society.

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

Where a consumer is prepared to pay a subscription for DT there are already, for most consumers, choices of pay-DTT and IPTV with many others having access to DSat and to a lesser extent Cable.

Most consumers waiting these channels could have access through the SKY satellite package or SKY could launch a IPTV platform.

The benefits therefore seem relatively small.

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?:

DTT is a limited platform in terms of capacity for providers, this lack of space is a massive barrier to entry and limits the scope of competition. It should be protected to serve its core function of free to air DT.

The SKY/News Corporation business model tends to seek market dominance as far as local regulation will allow. The SKY versus BSB battle was over in less than one year. SKY should be allowed and encouraged to compete in the open market of IPTV, since capacity is effectivly unlimited and barriers to entry are low.

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?:

The history of DSat suggests that Sports, Movies and Adult channels are the most profitable areas of pay TV services.

Two of these are already available on DTT and all three are available over IPTV.

If SKY is allowed to seek market dominanace they have the financial backing to drive out competition.

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?:

SKY have an effective monopoly in pay DSat proivision. To allow a second monopoly in DTT would effectivlty give a monopoly in Digital TV. It would be near impossible for a new provider to enter the market on either of these two most populat digital platforms.

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?:

SKY are proposing not just to withdraw from Freeview but to significantly cut the Freeview offering by taking three x 24hrs with them. That's over 500 less Freeview hrs per week. That is a significant part of Freeview's capacity and will weaken Freeview as a brand. If SKY were given the goahead could you say no to Virgin Media etc. if they proposed the same with their channel?

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

There is much confusion amongst the general public, especially the elderly, regarding DTV and the switch-over. There is a real danger that consumers will believe:
1/ 'Freeview' channels have started moving to subscription

2/ 'Freeview' boxes will be obsolete because of a change in technical standards

And that this will lead to consumers paying for DSat or Cable - 'to be safe'.

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?:

Especially pre-switchover this is essential to keep confidence in DTT. Even post switchover this is not desirable or necessary since IPTV is an alternative home for pay TV.

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?:

No

Additional comments: