

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

Anonymous 151

**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:**

Yes

**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?:**

I consider that there is some competition, but that in my area (North West Wales), Sky has virtually no competition due to the absence of Cable TV providers.

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

There will be a significant benefit for those who wish to subscribe to the service. For existing "FREEVIEW" customers, I would suggest the loss of 3 high quality Sky channels will be detrimental.

**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?:**

I would suggest that allowing Sky to launch their own pay channels using an encryption system incompatible with existing standards used on the DTT platform would be detrimental to the consumer. Allowing the launch of an encryption system

compatible with existing systems (i.e. Top Up TV) would have less impact on consumers like myself who have invested in compatible equipment. Allowing two encryption standards will confuse DTT users and seems unnecessary.

**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?:**

I believe that the market for these channels will remain small on DTT in the near future. However, I would expect the market to grow significantly in the medium term as more "DIGITAL READY" equipment is purchased by consumers (and hence backs my case for a single encryption standard).

**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?:**

Allowing SKY to launch its own "exclusive" encryption standard would facilitate this scenario - an insistence on maintaining the existing encryption standards on DTT would mitigate for allowing SKY to launch these new Pay TV channels.

**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?:**

This proposal would create a great deal of consumer confusion. Allowing a new encryption standard would cause a lot of existing equipment to become obsolete, a further level of confusion would be caused by the proposed MPEG4 encoding standard which would have the same effect. I would suggest such confusion is unnecessary at a confusing and important time for consumers (i.e. as switchover approaches).

**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?:**

See my earlier answers. Very important!

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

Loss of Sky News from "FREEVIEW" - is this acceptable as there are no other non-BBC news providers on the FREEVIEW line up.

**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 would suggest:

- (1) Sky should use existing encryption standards and not be allowed to launch a "mini Sky" platform incompatible with existing equipment,
- (2) MPEG 2 should be maintained as the encoding standard,
- (3) A clear limit set on the number of pay TV channels on DTT (e.g. I would suggest 25% until "switchover"),

**Additional comments:**