

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

Anonymous 157

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?:

Recognition of the significance of the bloody battles that are occurring in this arena is certainly very important. The recent incident regarding the withdrawal of Sky channels on cable TV systems by Sky, and the cynical advertising campaign that followed demonstrates. IPTV has yet to find its feet, and is likely to only deliver a modest bouquet of services for the time being. Probably most suited to flats where there is no suitable communal distribution of DTT or sat, and where aerials and dishes are not permitted.

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

I cannot see any benefit in 'Freeview' carrying any Pay TV content - On Digital did not prosper! The consumer would actually lose as the capacity could be used for other FTA Radio and TV services if Sky withdraw the existing FTA services.

There is little merit in simulcasting premium channels which already exist on a widely available pay tv platforms (Sat).

There is a divide in society between those who either do not want or cannot afford pay tv channels (freeview) and those who do (cable and sat subscribers). It seems logical that those who want pay tv simply get the platform that offers it. Sky would benefit by hogging Freeview capacity and did not turn one penny in subscriptions as they would be merely damaging the attraction of Freeview as a service to a degree, by reducing the number of services - another carrot to entice the public on to their proprietary platform. One might think that this is Sky's response to the up-coming Freesat, although Freesat is only really of use to those who are not or will not be served by DTT. In short - no benefit.

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?:

In my opinion, there should be no pay TV services on the current Freeview platform. Should extra spectrum be made available in the future then it might be a reasonable consideration. Sky have cultivated an excellent platform for pay tv and cable is also a viable platform in it's served areas, however it needs to provide more content itself to prevent a repeat of the content maker/gatekeeper problem. IPTV could provide niche services but must operate on a different model to thrive.

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?:

Again, it seems spurious at this stage to offer any more pay tv services on DTT at this time. The cost of subscription is most likely to be disproportionate to the number of channels one could subscribe to on DTT to the number of channels one could get from another platform.

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?:

Yes it would certainly be detrimental, but any Pay TV on Freeview will have a detrimental effect on its appeal as a platform as it can never hope to offer the choice of channels possible on the cable and sat 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?:

Ofcom is correct to have such concerns and it is likely that given the Sky 'modus operandi' of anti-trust and anti-competition behaviour (second to none other than

Microsoft!) that most, if not all of the concerns will come to pass if Sky are unchecked.

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

I think there would be a great deal of public objection to the proposal and indeed confusion. Because of the Sky 'closed EPG' on the Astra2 platform, many people refer to it simply as 'Sky'. They have little to no understanding of how the programmes arrive, or that there are many other channels that they cannot 'see' due to the proprietary EPG. It is likely that DTT 'Sky box' and especially PVRs would cause a great deal of confusion.

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?:

It is very important - if it were to ever be considered then the sky STB should also support the other services transparently and easily. This, and the fitting of a second CAM slot to accept 3rd party viewing cards should be mandatory to ensure compatibility with existing encryption systems on Freeview.

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

I suspect that some outrage would result, inflamed by the fact that the majority of Freeview users seem to be unaware of these proposals at this time.

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?:

It should not be permitted.

Additional comments: