

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

Anonymous 158

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?:

I would have thought the least competition comes from DTT. That is not to say that couldn't increase in the future. The main competition is between Dsat and Cable with IP now chasing a healthy third position.

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

I think this is wrong. Sky were awarded the slots on DTT with the understanding that they would be part of the Freeview package. The fact that they are attempting to move away from that and introduce their own version of pay tv on DTT is against the original remit. Sky, within the Freeview umbrella offers a competitive choice amongst the other stations sharing the platform. That kind of competition is always good. I see Sky simply trying to assert a further monopolistic style of competition and this does not belong on Freeview.

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?:

The very fact that so many channels within the Sky digital platform come and go suggests that pay tv has reached its saturation point. However, I believe that in the future there will be a significant increase in the supply of "on demand" product, in order to meet the changing lifestyles of the public. I believe that there is sufficient choice available right now on all the pay tv platforms. When assessing this, we seem to forget all of the other forms of entertainment competing against traditional tv output. For example, computer games, mobile phones, dvd etc.

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?:

This question is suggesting that I am in favour of Sky taking on the role of a pay tv provider on the DTT platform. Let me say again, I am against this unless some additional space can be found on the DTT platform for this purpose but not to the detriment of losing three very useful Freeview slots to the likes of Sky or some other pay tv provider. The agreement was set in place when the slots were awarded and should be adhered to. However, to try and answer this question: price is probably a key factor to a lot of people. It could also be argued, is there really a demand for an additional movie channel or a sports channel. The vast majority of people can access Sky via satellite should they require such channels. Satellite also provides more channels owing to the digital transponders more so than the existing number of very valuable DTT (and I include Freeview in this) channels. DTT in its current form, is unable to provide the wealth of choice that satellite can and for this reason, I believe will be a very, very poor relative.

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?:

Now, are you suggesting that Sky take over the slots from Top Up tv? If so, this is a different matter entirely. Top Up were awarded these slots on the basis of them being pay tv slots and for another operator to take them over could be a positive thing especially from a platform like Sky. Top up has always been a poorer second, third or even fourth cousin to Sky and has not been that effective. However, I stress again, the channels issued to Sky originally on the Freeview platform should remain part of Freeview and not simply be merged into a pay tv roster. That is unfair. The other argument to this, of course, is that if Sky were allowed to take over the existing pay tv slots held by Top Up, their stranglehold on the British tv system would tighten and I don't think this would be a good thing.

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?:

Let us not forget what the proposal by Sky is here. They want to take the free channel slots they were awarded on Freeview and alter them to become pay tv channels. If Sky do not feel that the free option is not in their remit, then they should let them go to other channels who could add benefit to the Freeview platform. It is wrong that Ofcom are even considering the proposal. It doesn't make sense. I do believe it is a little sour grapes on Sky's part. They have been amazed by the growth of Freeview and consider them their nearest rival. They feel insecure. I truly believe that the take up (if Sky should be granted this proposal) would be minimal. The reason Freeview has grown so much is for the simple reason that it is free. You can't help thinking that it was always Sky's intention to initially take up some slots on Freeview and then attempt to enter the pay tv market. I understand that when analogue is switched off, there will be an opportunity to expand the DTT platform. Surely, it is not inconceivable for Sky to wait until then and then attempt to buy some new slots and make those pay tv.

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

Absolutely, there is probably more than enough confusion already, what with Freeview, Top Up tv, BT Vision and more already competing for the attention of the audience. It can't go on like this.

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?:

This is rather assuming that you have already allowed Sky to begin pay tv services on the DTT platform. This is not the case. However, again, trying to answer the question. It is the most ludicrous piece of the whole puzzle. We thought VHS and Betamax were bad enough, but the amount of boxes that the public could potentially have is out of hand. Freeview box, Top Up tv box, BT Vision box, Tiscali box and now a proposed Sky box. It makes economic sense and practical sense to standardise this and integrate the Conditional Access Modules into one, if this were possible.

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

Yes, it is wrong that the likes of Sky can have such a hold on British media. As it currently plays out on the DTT platform, Sky are amongst all the other channels and that works and encourages competition on an equal footing. If Sky want to put themselves in a stronger position within Freeview, then they could always alter their own bouquet of channels from time to time. It does suggest to me that Sky are not particularly interested in the viewer, rather how much money they can make out of them. Terribly sad, don't you think?

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 believe Sky has already wealded its axe once too often. It's wings need to be clipped and if this. It should never have been allowed to get so big in the first place. The blackest day would be when Sky control British media fully. It may not be there yet, but the way it is going and if Ofcom allow it to happen, that day may come sooner than we think.

Additional comments:

This is a misguided proposal and it will be a sad day if this is allowed. Sky were granted the channels on the basis that they would always be free. Now, they want to change that, for the benefit of whom. I can hardly think the millions of viewers who are able to watch those Sky channels on Freeview are going to jump for joy if they disappear. No Freeview, with Sky of board, in its current form, is very comfortable and competitive with all players on an equal footing. Let Sky negotiate with Top Up tv if they want to get involved in the DTT pay tv platform.