

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

Anonymous 26

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?:

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

On the contrary, the proposals are likely to deliver considerable detriment to the consumer and the sector as a whole.

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 DTT platform aka Freeview, should remain largely free to air/view.

To allow it's guiding principle to be eroded at the behest of the murdoch empire - to allow it a competitive advantage to provide a "shop-window" to tease DTT viewers with a "taste" of premium content - which is more fully enjoyed on it's own vertically integrated platform, is at the very least deplorable.

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?:

Premium sports and movies content which is provided and marketed by BSkyB as fully interactive with mutiscreens and HD, will not be available to DTT viewers as part of the proposals. And there you have one clear example which BSkyB would seek to use as a competitive advantage in order to entice viewers to it's own - more complete platform.

The DTT platform should not be allowed to be turned into a shop-window for other vertically integrated platforms which have the fuller range of premium enhanced content whether it is multiscreen - or HD. More is elaborated on this below.

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?:

It would have a detrimental effect as outlined earlier.

Other Paytv services which do not feature all enhancements to channels such as multiscreen interactive on Sky Sports, or HD on both Sports and Movies, would be marketed by sky as a selling point for it;s own platform. All this marketing would no doubt appear on the Sky's porposed DTT variants.

To see examples, one only has to look at the Sky channels on Cable TV services in the UK. Specific cable variants are offered to the operators, in order that specific marketing messages can be delivered to cable customers. These usually amount to adverts proclaiming interactive features and HD are only avialable to Sky DTH customers.

All these channels and their content should be contained in the Rate Card. That these "enhanced" premium channels have managed to escape the rate card system, clearly shows how ineffective regulation has become.

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?:

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 would be more beneficial if sky were to allow the production of a PCMCIA CAM (Common Access Module) which could allow reception of their DSAT platform on any STB with a CAM Slot.

Indeed, Sky should be forced to open it's existing CAM slots in it's own STB's on the DSAT network, to allow DTT, DCABLE and IPTV access to the reciever. This is mandated in many EU countries and the whole of the US market.

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?:

Sky should not be allowed to become a paytv operator on DTT period - therefore no need would arise for additional conditions.

Additional comments: