

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

concerned Freeview Viewer

**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?:**

They are in competition with one another for total viewers/users. Viewers getting Freeview equates with less viewers for DSat (Sky) Cable or IPTV, so they are and will become even more so in direct competition with each other for viewers.

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

It has no benefit whatsoever to the consumer who is being asked to move during the next five years or so from an analogue FREE (apart from the cost of the licence fee) to the digital FREE replacement i.e Freeview. This is because although more channels can be fitted in because of the digital switchover than were possible on Analogue, there is still a lack of spectrum, therefore the spectrum that is available should be used ONLY for the replacement of the Analogue service. There should in my opinion be NO pay services allowed on this spectrum as it should only be seen as a replacement for what was offered on Analogue. Many licence fee payers have not asked for digital, and are quite happy with just the five basic channels that they currently get on Analogue.

**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 do not believe that there is scope for another pay tv consortium on the DTT platform in fact, I don't believe there should have been any! Most licence fee payers who want Pay TV and its 100's of channels can subscribe to the Sky platform, or Cable if they are cabled in their area, but the majority of viewers do not want pay TV as was demonstrated with the demise of ONDigital/ITV digital, more does not equal better, and most licence fee payers are quite happy with just the main five channels.

**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?:**

We had all this with ONDigital! Doesn't anyone ever learn anything from the past? Why does Ofcom think that Freeview has been the resounding success that it has already become long before switch off?

Because most viewers don't want pay TV, if they did, then they would already be subscribing to either Sky or Cable!

There is already going to be ample choice for those who just want football/ etc with the BT vision/Virgin/Tiscali packages now coming to the fore, without introducing these services to the already crowded DTT platform. Ofcom should have the same mind about this as they have when we ask for HD on the DTT platform, the lack of spectrum! There are many Freeview viewers who already believe that there is too much squeezed onto the platform at the expense of quality, and would rather see Ofcom moving towards the view on the DTT platform that less is more, in other words less channels in future but at a higher bit rate for better viewing.

**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, without a doubt! Sky in the past has grossly underestimated how popular Freeview would turn out to be! In fact, I watched one of the BBC parliament broadcasts on PSB's and was incensed to hear one of the Sky representatives actually say ' I can't understand the onus put on something being free' I think that it was when they were being questioned by the Culture committee on this very subject of Sky News etc being provided on Freeview.

It just sums it all up that Sky cannot understand how people can expect to view anything for free!

But where the DTT platform differs and what everyone tends to forget is that it is supposedly replacing an analogue service which was provided for free! (well apart from the licence fee of course)

Sky were allowed to be part of the initial consortium for the Freeview platform, and joined it as per providing free channels, if they no longer wish to do that then they

should be made to leave said consortium, and the space then sold to broadcasters who are willing to provide that service, I am sure there are plenty of takers for that space!

**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?:**

It would lead to confusion for the majority of viewers who are already confused regarding the imminent switch off of the analogue service on DTT. We already have a situation where if you want Top Up TV or Santanta you require a different box, card/cam etc, allowing someone else's different set up is not helping at all, and long term, if Sky were allowed to go ahead with this scheme, they will no doubt either take over TopUpTV/Setanta, or encourage other channel providers to join them, they don't like competition, and now that they have realised that the Freeview platform is just going to get bigger and bigger, then it must be curtailed! So if allowed this will be the start of their dominance, not only on the Sattelite platform but also the Dtt platform as well.

**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?:**

Very beneficial! It is confusing enough for some people to take on board all the changes from analogue to digital, so how does anyone think that needing another box is going to help?

The Dtt platform lacks someone at the helm who can make decisions both about the analogue switch off and its future regarding changes to its delivery, including HD, etc. But essentially it needs everyone not to lose sight of what it is replacing!

Now that it has over time become apparent just how valuable the Dtt platform has become (i.e its spectrum in particular) then suddenly everyone wants a slice of the pie!

Viewers should not have to purchase another new box (unless it is required for premium content such as HD broadcasts which can run alongside the existing SD channels)

To give an example this week alone, we in the know have updated our EPG's twice, once for the change from FTN to Virgin1, and then today for the change in the radio set up! But most viewers won't know about these changes and therefore won't have updated their EPG's.

There are too many changes made on the DTT platform already without confusing the average viewer even more with 'you'll need this box to get that' scenario's.

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

Yes! Public policy should be about What the majority of the licence fee paying public want, and to my knowledge that is never sought. How many of the public would have voted for digital switchover and how many would have voted to stay with analogue and just the five main channels?

**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 it is not. Many of us believe that Sky has been allowed to dominate the Satellite platform all these years by being allowed to

1. Dictate the conditional access used.

2. Dictate how the Sky boxes are both manufactured and the EPG used.

So they have been allowed also to set up prices charged to any broadcaster who wants/in forced to be on their platform. In essence they rule the Satellite platform, and have been allowed to do this by subsequent governments.

So let them have the satellite platform as they already have it 'sewn up' but if they no longer wish to be a part of Freeview by no longer providing any of their channels for free, then they should be removed from the Freeview consortium completely, and then the resulting space can be sold to broadcasters who ARE willing to provide their channels on Freeview for free. I am sure that there will be plenty of takers. We have already had Disney removing ABC1 because they could not get a 24 hour slot on the Freeview platform.

Even if Sky were given additional conditions, these would eventually be overlooked. After all, wasn't Sky allowed to be part of the Freeview consortium as long as they provided their channels for free?

Now they want to change this. The biggest mistake you made was changing the initial constraints on the multiplexes to allow them to have Pay TV on them. We don't want pay tv on the DTT platform in any shape or form! Did we have pay tv on the Analogue platform for which Freeview is the replacement?

### **Additional comments:**

I just wish that you as the governments body who seem to have taken on the job of running the DTT platform amongst your other remits, would stand up to Sky for once, and tell them that if they now are no longer prepared to be a part of Freeview, then they can take their channels away, remove them from having anything to do with the DTT platform (so they can no longer be a part of the consortium) its about time that someone did!

As soon as they see any competition at all, they either buy it, withdraw from it (by charging an extortionate amount) or take it over. If someone doesn't do this, we will all end up paying vast amounts to the Sky coffers, either that or not watching anything at all!

We don't want pay TV, and I am sure that most licence fee payers would rather the digital equivalent of their analogue service contain less channels, but more quality both in the broadcast quality and the programs shown.

If we all wanted 100's and 100's of channels, we would all already be subscribing to either Sky or Cable!

So I do hope that Ofcom keeps in mind that the majority of viewers already have enough channels to watch as it is, and would rather be watching quality programs with a better picture than they had on analogue (which certainly isn't true at the moment ! Since when has more equated with better? It doesn't and I certainly hope that Ofcom turns down the Sky request, lets them leave the DTT platform altogether if they don't wish to allow their channels to be viewed for free.