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

Anonymous 33

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?:

With pay services already available on all four platforms, I consider there to be already ample competition for pay TV services across all three platforms.

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

The introduction of a second linear pay-tv competitor to Freeview is likely to reduce the channels available to all those who have purchased Freeview for the very reason that it is free. As there is already a pay-tv service available, introducing a second one will not benefit customers in any way, but will instead reduce the appeal of the platform.

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?:

Cable and satellite, two platforms with (near) unlimited bandwidth, have shown that they cannot easily provide sustainable competition (most recently, shown by the merger of the two primary cable companies). On a platform with such limited bandwidth as Freeview, it seems even more unlikely that multiple pay-tv operators could experience sustainable competition.

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?:

The most likely key area of competition on such a bandwidth limited platform is likely to be just that - bandwidth. This would suggest that any operators would look to aquire as much bandwidth as possible for their pay tv offerings, further limiting the choice for consumers who chose Freeview because it is free.

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?:

Sky already have a monopoly of pay services on the Sky platform, which it can be argued has been used to bully it's competition (for example, with the recent spat over the cost of Virgin channels on Sky and vice versa). By being the only pay provider on TWO platforms, this position could only be strengthened, which would be detrimental to other pay channel providers.

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?:

There already appears to bw significant confusion with some Freeview users as to why they cannot recieve some scrambled channels (e.g. UKTV Gold) which show up on their boxes. More scrambled channels, covering two providers, can only increase this, with them being told they need one box for one service, another for a different. Additionally, the proposed impact of a possible future invlusion of MPeg4, where they would need yet another new box, can only increase 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?:

This is beneficial, as it would decrease a certain amount of confusion. However, it is detrimental if it comes at the expense of free channels.

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?:

Ensuring that a reasonable amount of the non-psb muxes remain non-pay tv (e.g. 60%) to ensure that the platform remains 'free' for those who use it, and not crippled (e.g. just the PSBs avaiable FTA) for those who purchased Freeview because it is 'Free'.

A fixed price for carriage set by Ofcom, to ensure that Sky couldn't use their strengthened monopoly position to the detriment of competition of pay channels on the platform.

Additional comments:

IPTV has now been proven to work on the DTT platform by both BT and Tiscali. Additionally, linear pay services have been proven NOT to work, by both OnDigital and to a lesser extent Top Up TV, who now only provide a limited linear service. Sky should therefore be encouraged to introduce any pay tv offering as an IPTV solution to compliment Freeview, rather than by taking bandwidth originally marked for free channels only.