

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

Anonymous 69

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 consider these platforms are fully engaged in competition for subscribers. In my view the dominant position of Sky pay TV on the non-terrestrial platforms makes the Picnic proposal untenable.

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

I believe the proposal would bring disadvantages rather than benefits to the consumer. The limited availability of bandwidth on Freeview should be made available to FTA broadcasters.

The proposed services are already available on satellite and cable for anyone who chooses to subscribe, and the benefits of MPEG4/H.264 compression can be realised without this proposal, from the BBC-HD initiative.

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?:

Without the provision of released analogue spectrum to the DTT platform, there is no scope for sustainable pay TV competition. If this proposal is allowed, there will only be one survivor.

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?:

As the dominant content provider, Sky has an unassailable advantage.

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. I can see no opportunity for sustained competition on DTT.

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?:

I am concerned that should Sky News be withdrawn from Freeview, and not replaced then plurality of News would be a casualty.

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

Highly likely, in view of the closed conditional access system and MPEG4 compression.

This is especially undesirable during DSO.

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 option would clearly be much more attractive to all concerned.

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

I believe there are concerns regarding the undue influence Sky/News International can bring to bear on the government of the day.

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's not easy to see a way to achieve this, although mandating compatible hardware would be a step in the right direction.

I would also like to see any acceptance of the proposal made conditional on the continued FTA broadcasting of Sky News

Additional comments: