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

Anonymous 7

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 do not believe DTT itself is in competition with other pay tv services as it is an enforced replacement of analogue terrestrial services. However the pay element on DTT, although running on a technically inferior platform can target a specific audience (those who don't require vast numbers of channels & services) and therefore can be considered competition against other providers.

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

At present, because of the limited numbers of channels (bandwidth) available on the DTT platform I cannot see another pay tv service delivering any benefit to the consumer. It is offering the same genres of content already available on the platform. The net effect for those who do not wish to pay for additional service is less channels and a reduced service that was originally provided as part of the initial freeview consortium.

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 only scope for sustainable competition for pay TV on the DTT platform is

a)when it can support greater numbers of channels, whether that be through the increase in multiplexes, or a migration from MPEG2 to MPEG4 technology.

b) if another provider was offering a unique and different service from what is already being provided.

The only platforms I see where competition between providers is possible is on DSat, cable and IPTV because they do not have the restrictions currently imposed on the DTT platform (ie; bandwidth)

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?:

It is clear that BSkyB's role in delivering a pay tv service onto DTT isn't their to benefit the consumer but to ensure they can inhibit the growth of the DTT platform. They will further reduce the available channels (which they have only because they were part of the Freeview consortium). They will use it as a stepping stone to lure consumers to their strategic platform.

This is not a strategy for the existing pay tv service provider who are simply there to provide additional service on this platform.

If a customer already pays £10 for the existing DTT service and has to pay another £10 for BSkyB, they will quickly see this as a costly service than moving to DSat where they can pay the same money for a vastly superior service. That customer will then move to DSat and the other Pay TV provider will lose out. Sky know this and see it as an easy way of removing competition.

A Freeview user (who has no interest in pay tv) will find three channels they used to have disappear even though the provider of those channels agreed to be part of a Freeview consortium. If BSkyB wish to move to Pay TV they should give up the channels they already have an re-bid for them alongside other companies.

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, of course it would have a significant detrimental effect.

Competition not only ensures value for money but also innovation. The existing pay

TV provider on DTT has evolved bringing innovation in the way it delivers pay TV (which has subsequently been copied by the competition).

The only innovative idea BSkyB have put on the table is the move to MPEG4, but I suspect they didn't come up with this idea.

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?:

Although I would be happy to see a move to MPEG4 technology the current climate (especially with Digital Switch Off) will only add to the confusion for those members of the public moving away from analogue TV.

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

DTT is primarily marketed as Freeview.

There are still large numbers of the public not familiar with Pay TV and if they were to move to a platform which they believe is free only to find multiple pay tv services on it, is not going to be a suitable experience.

On DSat you either pay for Sky subscription or you don't - simple

On Cable you either pay for Virgin subscription or you don't - simple

Currently on DTT (sold as Freeview)
You have TopupTV with two services (although one is being phased out).
You have Sentanta as an additional subscription (without having to be a TopUpTV subscriber)
You have an Adult channel which can be subscribed to seperately
You have teletext game channel with seperate subscription
If BSkyB launch you have the potential for yet another subscription and possible completely new hardware -

For an platform that the public have no option but to migrate to (due to analogue switch off) titled Freeview, it is possibly the most complex platform to use.

It is probably in BSkyB's interest to further complicate that platform to ensure an easy migration to their own.

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?:

I would be quite happy to purchase additional equipment.

If it actually removed some of the confusion from Freeview then it may actually be a good idea. At least the user knows what they are getting (ie: it is clear to them that buying this specific STB or hardware will give them BSkyB) - This is pretty much what TopUpTV do,

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

It will only cause additional confusion whilst the Country is undertaking Digital Switch Off.

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?:

They should not be allowed to convert their existing channels (allocated as part of the Freeview consortium) to pay.

They should be made to re-bid against other service providers. If they subsequently win then at least other providers have been given a chance.

They should also have no influence on other providers (Eg: a large stake in ITV, who have an interest on DTT) could allow them to manipulate and further dominate the TV industry.

Additional comments: