

**Title:**

Mr

**Forename:**

Malcolm

**Surname:**

Bell

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

Mr Malcolm Bell

**Representing:**

Self

**What do you want Ofcom to keep confidential?:**

Keep nothing 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:**

Yes

**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 them all to be in competition for subscribers now and are likely to be so in the future.

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

I don't think it will. yes in the short term it will bring increased premium content to dtt but at what cost. With skys power/money it is enevitable(if they are allowed to use their chosen model) that in the medium to long term they will kill off all other pay tv competitors on the platform and that is not good for the consumer.

**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?:**

There is room for competition on dtt but it needs to be on a level playing field. All pay tv providers need to be made to offer their services wholesale to their competitors thus encouraging competition. Allowing sky to launch their own closed system on mpeg 4 and using their own encryption is not only confusing for the consumer but anti competitive. There is certainly scope for competition across platforms.

**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 is something that many are interested in/wish to purchase. Many are willing to pay for the latest films ect. They should have a choice of pay tv options and should be able to purchase any of the pay tv channels from any of the pay tv providers.

**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, some people may wish not to purchase a service from BskyB. Their should be an alternative pay tv provider on DTT so they have the choice. For some Dsat and cable is not an option.

**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?:**

Total confusion is likley. How bad is it going to be for joe public if we have different encryption systems on the same platform...how confusing is it going to be if you can watch some services on an stb but not others. Switchover is going to be a big strain for many without throwing this in.

**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 needs to be the case. I don't want to have to have multiple stb's for receiving content off the same platform.

**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?:**

If sky were allowed to alter their channels as they propose then they must be forced to allow other pay tv providers the option to retail them through their own set up. IE Topuptv should be able to retail sky channels and vice versa.

Sky must be forced to launch their channels under mediaguard encryption and mpeg 2. Allowing them to set up their own closed system is suicide from a competition perspective

**Additional comments:**

I think the questions used are very poor for a so called public consultation. They may be easy to understand for industry professionals but for a layman they are not clear. Many of the general public have an intrest in the future of dtt services and their views should be fully considered as well as industry personnel.