

Title:

Mr

Forename:

Stephen

Surname:

Gordon

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

Ste Gordon

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 think there is harsh competition, probably only over two things, which have gained more significant within the last 6 months. Premium entertainment with Sky One, ie first run US programmes such as The Simpsons, would probably be their unique selling point. The second being Premier League Football, Sky Sports is always being advertised with Sky's three tier package, where as Setanta Sports is being advertised

with Virgin Media, BT Vision and Top Up TV. As this deal will go on for three years at least, then this will be another unique selling point.

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

The only benefit I could see would be that some first run Movies and some Premium Sport would be brought to the Terrestrial medium, although this won't be free.

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 believe there is a scope in competition and choice, I don't object to Pay TV over DTT, ie Top Up TV. But I don't believe in one company having more than one medium for the Pay TV market, ie I wouldn't believe it would be good for the consumers if Sky had Satellite and Terrestrial services or Virgin providing Cable and Satellite.

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?:

One of the main aspects of competition would be that there would be more Sport and Movies. Although we have one suitable Pay TV Channel for Sports (ie Setanta Ch34) and one free to air movie channel (ie Film4 Ch32). I don't believe in adding more of the same on Terrestrial as every audience needs to be catered for and the space for any new service on DTT is scarce, especially at the expense of 2 News channels and an entertainment channel.

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?:

I believe that if this was to happen, then any new competition would probably not bother to start or take more time to figure out a new service. Also Sky would be able to price fix to their own accord as they would have no other DTT competition.

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 think one main concern would be the loss of Sky News and Sky Sports News. Both channels are widely watched and widely used as a resource of information. I don't think that it would be fair that BBC News 24 would be the only News channel on DTT, an alternative is needed, and the best alternative in the UK is Sky News.

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

Most consumers have long associated Sky with satellite, and if they see Sky being promoted as a DTT service, then this would lead to confusion or people deciding to chose to have Satellite instead of DTT. It would be no different than BT offering a Telephony service and a Satellite TV service.

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 consider it to be important. Many people are still not certain about Digital Switchover, so telling people that they may need another STB to watch a channel is even more confusing. It's also important as many people still have Top Up TV boxes and ITV/On Digital boxes, so if a service was to launch, you wouldn't simply be adding extra services to those, you would be doing something totally seperate.

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

It might lead to many people thinking about Sky's market within British Television. I am okay about Sky having total control of Satellite, as it's always been their platform, but I do not agree with their Pay TV proposals for DTT, nor do I with their 17.9% stake within ITV plc.

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?:

These forms should be about making sure that the consumer gets a fair deal in terms of pricing and what services are available, ie a service that would be more useful than another one.

Additional comments:

I don't agree with Sky's plans, Sky shouldn't be allowed Pay TV access to DTT, they got the licence to be on DTT for being Free, and it should stay Free, as Freeview's success is that it has been Free.