

RESPONSE TO CONSULTATION

Consultation title: Proposed BSkyB digital terrestrial television services

Name of respondent: Mr Huw P. Jones

Representing (self or organisation/s): self

I am responding as a private individual and Digital Terrestrial Television (DTT) user with regards to the above proposal from BSkyB "PICNIC". I welcome the proposals from BSkyB to launch 3 "new" channels on the platform although I have strong reservations regarding the loss of 3 existing BSkyB channels and the proposed use of a new encryption standard on the platform.

I feel that the launch of the three BSkyB channels will benefit the Digital Terrestrial Platform in the longer term as the proposed channels do provide premium quality content that will be attractive to current DTT users, albeit requiring the payment of a subscription to view the channels.

However, I do have considerable concerns that the loss of the three BSkyB channels currently available on the "Freeview" DTT service will be of overall consumer detriment. Sky News provides an important service on the DTT platform being the only alternative 24-7 news provider other than the BBC NEWS 24 service. This has been especially important since the withdrawal of the dedicated ITV News Channel from the DTT platform. It is my opinion that it is not in the overall interests of DTT users to see this channel withdrawn and it will lead to a near monopoly for the BBC in terms of news provision on the platform with no dedicated alternative news output readily available. I would further argue that the loss of Sky Sports News will be a similar loss of choice to DTT consumers as this is the only dedicated sports news provider on the platform. I would suggest that the withdrawal of these two channels would lead to a significant detrimental impact on existing DTT users and that some kind of compromise in terms of *free* BSkyB news / sports news provision should be extracted from BSkyB before they are given the "candy" of allowing to set up dedicated subscription channels on the platform.

I have further concerns regarding the alternative encryption standard that BSkyB wish to introduce on the DTT platform. Quoting the extract from your (OFCOM's) summary of the proposal;

"1.13 A further issue arises from Sky's proposal to use technical standards which are incompatible with existing DTT pay TV services and set-top boxes. This could mean that more than one set-top box would be required to view all pay TV services available on DTT (e.g. all Premier League football matches available from Sky and Setanta) which is likely to be a concern for a number of consumers. Furthermore, there is potential for consumer confusion over which pay TV services are available with different types of set-top boxes."

Should BSkyB be allowed to launch their proposed service, then I strongly believe that the encryption standard should be compatible with existing hardware i.e. SECA, and that the proposed BSkyB proposal to introduce a new standard is certainly not in the consumer interest if it results in the introduction of an encryption standard not compatible with a large number of legacy OnDigital & ITV Digital boxes as well as newer Top Up TV / SETANTA boxes in widespread use (in all cases based on SECA encryption). As well as concerns that this will, over the longer term, limit consumer choice - it could eventually allow BSkyB to

become gatekeeper to pay channels on DTT effectively by default should SECA providers fall by the wayside. I would suggest that BSkyB be compelled to adopt a SECA encryption standard that is compatible with existing pay-TV enabled DTT boxes. Even if 2 or more viewing cards are required to watch content from different encrypted providers I believe this will encourage consumer choice over the longer term rather than forcing consumers to choose one standard (BSkyB) or the other (SECA) when purchasing set top boxes or televisions etc.

Should you need clarification on any of the points I have outlined, please feel free to contact me,

Yours sincerely,

Huw P. Jones.