

**Title:**

Mr

**Forename:**

Stephen

**Surname:**

Mchugh

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

Mr S J McHugh

**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:**

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?:**

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

This proposal will not deliver any benefits to customers. This is due to there being approx 10 million customers on freeview. People have chosen this as they choose not

to / or can't take up Sky subscription or Cable. freeview is for those also on lower incomes and suitable to the elderly. Sky news and Sky One are main channels now and have been for many years. As Sky will not be able to penetrate these homes they are now deciding to get money off people by subscription on the DTT platform known as freeview. This is not freeview plus subscription. People are going to have to fork out extra charges then also buy another box which is completely unacceptable.

**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 little scope for competition which is sustainable when there are already 3 main providers (3rd one is bt homehub). Virgin media is still in debt and sky profits have fallen due to dominance in the market and also their issues with each other. This is not about competition but dominance of the british media.

**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?:**

The role of sports and movies is acceptable as it brings about choice that what was not there before and only if it was on additional channels that are opened up on freeview and without change of box. Sky one and news are not premium channels and are main home channels.

**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?:**

This is true as sky are making the move before anyone else and are setting the guidelines for the future in benefit of themselves. Due to the nature of the DTT there are only limited ability and entrance to the market. This would cause the airtime channels to be sold to the highest bidder and would cause increase in price with little choice for those who already have freeview and have this for the change over to DTT and do not require to pay subscriptions. Using freeview in its current state is excellent for competition and channels are successful without charging which is why they stay on there.

**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?:**

Firstly movement has been away from PTV to FTA with e4 and film 4. Why is there a need to bring in PTV when it shows to work without it.

Secondly is Sky's purchase of amstrad although they have mentioned it will be open to anyone meeting the technical specifications I doubt this will happen as they have

developed the technology required.

Changing the box will require people to buy a new one and 9.1m people in a mature market is not something that should be allowed to happen in a successful market.

This will affect TUTV also and will bring about 2 subscriptions thus affecting an existing premium pay tv on DTT

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

It will not be freeview and people have chosen this market purposefully.

The government want all people over to DTV and there is a programme to sort this out and there is confusion in this. Having sky saying take freeview and subscribe will confuse people that DTV is not free

Cable offer free tv package with a phone line why do sky not provide free tv on satellite using their existing technology. They choose to penetrate a huge market with themselves only the winners in market share and profits.

Sky should compete properly and effectively with freeview not be a media giant that looks to take over and change its structure

**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 is only acceptable if they do not have to pay for this offer them through TUTV. Or sky could promote its channels by having people on virgin media or its own free satellite system

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

I am concerned that Sky are making the rules and not the government. They are choosing how we get our tv and almost 20m households now have this why would we need to change almost half of the market and the customer will be the loser.

**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?:**

Sky are making the guidelines and know how much they will charge and profit stream from this. Any new channels that are pay tv should be existing premium channels on sky's own platform not currently available. Standard channels should not have to be purchased and now the customer will lose out more for those who have not changed from virgin media to sky. People on virgin who have lost out to sky dominance can choose to have freeview also to watch the channels that have been removed now they are to be taken away again by the back door. I am not stupid I can see what they are doing and ofcom should act accordingly.

**Additional comments:**

Don't change what is successful in a completely competitive market. If sky can't make more money what's the problem.

People have a choice and sky are on the way to 10m customers by 2010. They have enough market they are just choosing to be greedy if people want movies then they choose to go to sky or virgin or bt. Online tv is the future and this is detrimental to those who have already paid for a box and aerial upgrade.