

**Title:**

Mr

**Forename:**

Dominic

**Surname:**

Newey

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

Nic Newey

**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?:**

DTT and DSat, both without a physical connection to the consumer, can provide DTV services to a very large proportion of the UK population. Cable network growth is apparently non-existent. IPTV, restricted by the poor channel capacity of existing telecommunications networks, provides an excellent alternative to other delivery systems for non-broadcast content.

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

There has been a massive take-up of DTT equipment and HD TVs. Unfortunately, the public have not been made sufficiently aware of the current degree of incompatibility. It is therefore crucial that HD-capable DTT equipment is made available ASAP. In this, the Picnic proposal can help greatly.

Without such equipment, churn from DTT to Sky HD must be expected.

**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?:**

With the so called digital dividend, almost irrespective of how the newly available digital capacity is allocated, there is surely a way in which that capacity can be managed such that competition is sustained.

**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?:**

Unfortunately this is likely to boil down to budget. In general, consumers will only pay for what they think is worth watching. The providers of such content will be those that can afford to purchase or produce the content and continue to operate on a sound financial footing.

**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 have Sky+ and Sky HD subscriptions to their full package. I have suffered from some faults, but have always found their customer services and engineering staff to be polite and efficient.

My only reason for leaving Sky would be if an alternative, high quality service was available at a lower price.

I sincerely hope that other organisations can manage to compete with Sky. However, if they cannot, then restricting Sky's operation just to maintain competition would reduce the overall quality of the DTV service to the UK population.

**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?:**

Protection of FTA content is of critical importance to the significant proportion of the population that will be unwilling to pay for TV services post DSO.

Sky's selection of NDS CA is to be expected and the potential for confusion is also to

be expected. Equipment manufacturers cannot be relied on to solve this issue. It hasn't worked with the current Digital tick/HD-Ready marketing mess.

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

Consumers are already confused with DTT and DSO. Those that are confused now will be confused again, unless they are not at all interested in Sky's offering. However, Sky's skilled marketing machine will, I am sure, help consumers swap from TUTV to their own offering! TUTV will have to be equally good at handling churn in their direction.

**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?:**

It would be convenient for the consumer. However, it would certainly require a high-end STB. Perhaps a manufacturer will choose to take up this opportunity.

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

No.

**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?:**

I see absolutely no reason why Sky's proposal should be subject to conditions that do not apply to any other suppliers of pay TV content.

**Additional comments:**