

Title:

Mr

Forename:

Sean

Surname:

O'Brien

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

Mr O'Brien

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?:

I believe that Sky is operating a monopoly in which it plans to eliminate competition unfairly, ultimately resulting in less choice for the viewer.

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

I believe the consumer will receive very few benefits through this proposal as they will be paying a large price for what will basically be three 24 hour channels of questionable quality programming. Both the subscribers and non-subscribers will get a very unfair deal and find themselves caught in Sky's trap.

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?:

In my opinion, DTT should be kept completely free-to-air. It is unfair that someone should lose out on a larger choice of programming because a pay TV service appealing to a very small minority is taking up limited bandwidth. Pay TV should be kept to platforms with a large amount of bandwidth available.

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?:

There are no "key aspects" to this proposal, premium sport and movies is already available on Top Up TV. If anyone was desperate enough to see more sport and movies they could quite easily subscribe to Dsat and get a much fairer offer than the over-priced service BSkyB is trying to flog. There is only a small minority of the country that can't receive Dsat, and an even small minority of them who want pay TV, these are the few people this service will appeal to, and if they really want subscription television, they can move.

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?:

BSkyB's proposal is generally to make money out of a rival service and once again, unfairly deny Virgin Media of a bigger customer base. By launching proposals for this service BSkyB have made it publically aware of their fear of competition. Should this ridiculous service make it into business, it will be yet another pathetic achievement for News Corp, and with it, Freeview will suffer the consequences.

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?:

Consumers will continue to be confused by pay channels have their names listed on the EPG. I know family and friends who still don't understand why UKTV Gold and Eurosport is listed but can't be viewed. BSkyB will only add to the confusion. DTT is attractive to the consumer because it is free television. DTT has nine million users because not everyone wants to pay for television, or indeed, pay for News Corp services.

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

People buy DTT receivers expecting to receive only free-to-air television channels. To have not only Top Up TV channels listed on the EPG but BSkyB's channels also listed would add to confusion. DTT is marketed as "Freeview" but at the moment, that is not completely what the customer is getting: a totally free 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?:

It is not beneficial in the slightest as all the channels on both Top Up TV and Picnic can be received at half the price of the two services put together on Dsat.

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

The loss of additional programming with the replacement of three 24 hour slots full of poor quality programming with zero public service broadcasting is a concern in itself.

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 believe that this service should not become a reality and BSkyB should have its position as a shareholder of Freeview (or whatever the organisation's official name is) immediately terminated. Not only is BSkyB seeking to destroy a rival television service, but it is aiming to rip off consumers at all costs.

Additional comments:

BSkyB has named its service "Picnic" in order for those who do not wish to give BSkyB their money to be fooled into opening their wallets for what they believe is totally separate company. I bought a Freeview STB because I did not want to pay for extra television services, but more specifically, to keep a distance from News Corp. I think it's unfair that a company with a well established, profitable service should be allowed to infect something they should keep well away from. If someone wants to pay for television, they will switch to Sky, it should not be the other way round. Please do not let this go ahead. DTT has no built itself back up and re-established itself after the ITV Digital fiasco, this will only be a repeat of those times.