

**Title:**

Mr

**Forename:**

Simon

**Surname:**

Olive

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

Mr S Olive

**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?:**

There is not enough room on DTT for significant Pay TV services, so it is not able to compete significantly in this area, nor should it do so.

The other platforms do compete hugely.

However, there is an increasing trend away from Pay TV, as demonstrated by many Channel 4 channels and steady reduction in Top Up TV channels and programming..

In future high definition tv will mean even less room on DTT for Pay TV and thus it is not appropriate for this platform.

there is competition between DTT FTA programming and Pay TV however given the excellent offering of channels provided by Freeview (including great FTA sky channels).

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

There will be no net benefits to the consumer at all. It will be a disaster for digital television and increase Sky's dominance by allowing it ruin the digital terrestrial platform

Most can already receive Pay Tv on one platform or another.

The loss of bandwidth on Freeview will leave less room for High Definition broadcasts, thus making the platform seem poor quality in future. Also some public service channels such as teachers TV and the Community channel are unable to obtain sufficient broadcasting space on Freeview, and the proposals make space at even more of a premium.

Additionally, the loss of FTA sky channels for most of the uk population will be a huge disappointment, especially to those on low incomes unable to afford Pay TV and thus total reliant on DTT programming. Thus the Freeview line up will become significantly less attractive giving more power to the likes of Sky.

Of particular concern would be the loss of the Sky news channel, especially given that there were once 3 news channels on the DTT platform and the proposals would result in there only being one.

News channels are of significant education value and it is essential that viewers are able to keep in touch with the news issues impacting on their lives. ITV are already again reducing the resources put into News output and it is important that people are able to receive News from different sources thus enabling them to avoid bias and become aware of different standpoints adopted by different broadcasters.

**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 no scope for and sustainable competition on pay TV on the DTT platform whatsoever. This is mainly due to the lack of bandwidth which will be put under much more pressure in future once High Definition broadcasts become standard.

technologies such as Mpeg4 will not be able to overcome this fundamental problem,

and even if more bandwidth is released when digital switchover takes place there will still be a shortage.

Pay tv on DTT results in the video and audio quality levels being reduced to unacceptably low levels as shown by Setanta Sports which is almost unwatchable at times due to the low bitrate used for video.

In broader terms there is plenty of scope for competition on other platforms and plenty of available bandwidth on these, Thus they are the best places for Pay TV.

**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 is not sufficient room on DTT for Pay TV due to limited bandwidth available.

Therefore this question is irrelevant and will be increasingly so as High Definition broadcasts are introduced.

There is little demand for Pay Tv on DTT also as illustrated by the reduction in the Top Up TV service.

The key aspect for premium TV would be High Definition broadcasts - especially for sports and movies, and there is no room for this.

**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?:**

Sky have far too much dominance already as illustrated by their purchase of a stake in ITV.

The fact that they have removed their channels from Virgin media and the effect this has had on subscriber number for that company shows they should not be allowed to operate Pay TV on DTT. The loss of some sky programming on Virgin Media cable tv has been a significant disadvantage for consumers, and the fact that Sky has caused this problem shows they are not a responsible organisation with the interests of customers at heart.

Thus it would be a disaster if Sky were the only provider of Pay TV on DTT. Though, again, there is no bandwidth available for PAY TV on DTT anyway.

**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?:**

The lack of a FTA Sky News Channel plus the loss of Sky Sports News makes the Freeview platform significantly less attractive to consumers - especially older ones who are less likely to have switched to digital television.

Thus the loss of these channels makes digital switchover harder and will have a detrimental effect on the process

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

There will be huge confusion caused by this switchover.

already some PAY TV channels have had to be reprimanded by the ASA for stating that they are on the Freeview platform.

having a Pay offering from Sky can only make such a situation worse.

Also consumers have become used to receive Sky channels for Free on Freeview and may be confused as to why they suddenly are expected to pay for something that was previously free of charge.

Also it will be confusing seeing more blank channels for no subscribers littered about the EPG, and it will be an inconvenience for people to navigate around to avoid these.

**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?:**

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

**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?:**

No it would not be possible to regulate Pay TV on Sky to avoid significant detrimental effects on competition.

**Additional comments:**

The proposals are a cynical ploy by Sky to weaken the Freeview platform which is an excellent service and now the main competition to Sky.

It should be thrown out immediately, and Sky should be grateful that they are allowed on DTT at all.

IF there is any spare bandwidth on DTT it should be used to increase video and audio quality for existing channels, or could be used for more public service broadcasting, such as 24 hours broadcasts of teachers TV and the Community Channels or New local news content.