

Title:

Mr

Forename:

John

Surname:

Ward

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

Mr John Ward

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?:

At a small margin perhaps. The existing MUX have some Pay TV channels, but I see no need for these to be extended into existing MUX areas which were always intended to be "Freeview". There may be a possibility if more MUX were created. No need to extend PAYTV to existing MUX.

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

None. Those wanting to acquire PAYTV already have Satellite TV. Although there is no "charges" indicated for SKY channels there is every expectation they would be more expensive (per channel) than satellite. For example Sports & Movies have multiple satellite channels, impossible on DTT. I would not expect the DTT SKY Sports channel to be 1/4 of the satellite cost even though satellite has 4 channels of SKY sport. Similarly 9 channels of movies on satellite - will DTT price be 1/9th - I doubt it

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?:

ONLY if the MUX's were increased to allow additional channels. Sustainable competition is OK providing the technology allows it. Clearly DTT does not have the capacity for unlimited channels as satellite does.

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 no problem. There is potential competition. Setanta has PayTV sport. SKY simply was to use their MUX channels, obtained on the basis that they were providing Freeview services.

Setanta had to obtain DTT channels on the "open market". SKY is simply trying to get PayTV "on the cheap" removing potential "Freeview" channels. There IS competition. Let SKY get channels from the existing Pay TV Mux owners as others would need to do. As stated - SKY simply was to use their MUX channels, obtained on the basis that they were providing Freeview services.

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?:

Yes. SKY have limited or tried to limit competition in every area they have become involved in.

DTT PAY TV might have a future but only if existing MUX numbers were increased

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 concern about a major PAYTV operator to "control" the availability of channels on a restricted number of channels.

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

Totally. It is there already and this will extend and increase it. Freeview is "Free to View" not Free to Pay.

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?:

What is beneficial to force a new "Box" on people when they are currently buying new TV's or boxes for the Changeover.

Technology cannot be static, but the decision was taken for DTT to be on the current system. Let the existing changeover be completed before looking at more changes

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

The appearance of one commercial concern seeking to control without concern for anyone except their profits.

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 do not see that this proposal suggests that SKY will become the only provider of DTT services. It might happen of course because they will "force" the closure of the existing Pay TV product (for them to sell more at every inflated costs).

Conditions: I will not approve this application, but IF it is considered, then ensure that the MUX owners provide ANY additional supplier of programs with access to all facilities and costs as SKY.

Additional comments:

Bottom line in my opinion is that SKY got onto the MUX with an undertaking to provide "Freeview" services. Would they have got this without this undertaking? I would not object to SKY (or any other supplier such as TOP UP TV) extending Pay TV with the extension of additional MUX's following the Analogue switch off

Keep FreeView FREE.