



DMOL Paper 21.08.09:

**Revision of DMOL LCN Policy to introduce a new HD
Genre**



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1 Introduction

DTT Multiplex Operators Limited (DMOL) allocates and operates Logical Channel Numbers (LCNs) on the Digital Terrestrial Television (DTT) platform in the UK in line with its LCN Policy, Version 3.0, dated 10 April 2007. This Policy states that DMOL will review its LCN Policy on a periodic basis and this consultation should be seen in that context.

This paper sets out DMOL's conclusions and decisions following the consultation exercise around the creation of additional genres on the DTT platform originally set out in the consultation paper of 22nd June 2009.

During the consultation process submissions were received from a wide range of channel providers. It is not our intention to publish these responses as they remain confidential between DMOL and the channels that submitted them. However, DMOL would like to thank all channel providers who sent submissions for their time and effort in responding to this consultation.

As stated in our original consultation document, it has always been DMOL's intention to publish the results of this consultation on or near 21st August. At the time we issued the consultation document several channel providers queried why the consultation period adopted by DMOL (4 weeks) was relatively short given that new HD services on DTT will not launch until the 4th Quarter 2009. As channel providers will now be aware, there is a national re-tune of the DTT platform on 30th September 2009 which is required to facilitate the introduction of HD services. It is this event which has driven the timetable, rather than the launch of HD services *per se*. It is DMOL's intention that all changes in LCN numbering which are approved as a result of this consultation will be implemented simultaneously with that event. This means that any channel affected by the changes will benefit from the consumer marketing carried out by Freeview and the PSB channels to publicise the retune, in that the vast majority of DTT receivers should be rescanned and LCNs updated. This would not be the case were changes to be introduced later, missing this rare opportunity.

2 Background

The DTT platform is the largest TV platform in the UK with 25.9¹ million receivers currently in the market.

DMOL comprises the DTT multiplex licence holders (Arqiva, Digital 3and4, SDN and BBC) and is the company charged with the responsibility for the technical operation of the DTT platform on behalf of its shareholders. Amongst DMOL's responsibilities is the allocation of LCNs which it does according to its LCN Policy.

The allocation of LCNs by DMOL according to the DMOL LCN Policy is driven by three key principles:

- Conformance with Ofcom's Code of Practice on Electronic Programme Guides;
- The application of the LCN Policy in the interests of viewers; and
- The application of the LCN Policy for long-term benefit of the DTT platform.

In the consultation document published on 22nd June 2009 DMOL stated that it wished to consult on the potential introduction of 3 new genres:

- High Definition;
- Shopping; and
- Special Interest.

¹ Source: Ofcom The Communications Market: Digital Progress Report Digital TV, Q4 2008

In addition, DMOL intended to clarify the definition, and therefore application, of 2 further genres:

- Interactive; and
- Adult.

The remainder of this document sets out the new genres which DMOL now intends to introduce on 30th September 2009 following consideration of the submissions made by channel providers during the consultation, and DMOL's deliberations on those submissions.

3 The new genres

3.1 Definition of genres

The DMOL LCN listing is a single sequential list of channels which groups similar channels together to aid the viewer and to promote the discovery of channels. The genre headings and titles are not visible to viewers in the same way that they are on some other platforms. The current television channels are listed in the range 1 to 99, also unlike most other platforms which employ 3 digit channel numbers. There are currently gaps within those channels listed and some of these separate the different genres. No other form of signalling is used and it is left to the viewer to interpret which genres are which. In general a viewer does not see any services that their equipment is incapable of receiving but they may be aware that channel numbers "jump", missing out one or more channel numbers. One of DMOL's intentions in proposing the introduction of new genres was to provide an enhanced degree of signalling of genres by delineating them further than they are at present.

3.1.1 High Definition Genre

No substantive concerns were raised about the creation of this genre by channels during the consultation process. Therefore, DMOL confirms that it does now intend to create a new genre called "High Definition". This new genre is intended for channels which broadcast in High Definition and are licensed as such by Ofcom. The creation of a High Definition Genre creates a specific location for the discovery of HD channels on DTT. The new HD genre will start at LCN 50.

3.1.2 Shopping Genre

Responses from channels regarding the creation of a shopping genre were mixed. Generally, but not exclusively, those channels that would have been categorised as shopping services, were not in favour of this change, whereas, other channel providers were generally, though not exclusively, in favour.

Following the consultation exercise and a review of the submissions received, DMOL believes that there is a strong rationale for the introduction of a Shopping genre. However, DMOL also recognises the concerns raised by a number of channel providers during the consultation. Therefore, DMOL does **not** plan to introduce a Shopping genre at this point but will review its decision in around 12 months' time.

3.1.3 Special Interest Genre

DMOL's proposal to introduce a "Special Interest" genre attracted considerable comment both in favour and against. As a result of feedback from a number of channels during the consultation, DMOL considered revisions to both the title and the definition of the "Special Interest" genre (which was originally presented in Clause 3.13 of the Consultation Paper).

In terms of title, DMOL considered changing the name of the genre to "General Entertainment – Limited Hours" rather than "Special Interest" as originally set out.

In terms of definition, as in DMOL's original proposal, the new genre would have included a range of television channels. Inclusion in the revised genre would have been based on a broadcast hours test and a test concerning the channel content such that channels which clearly fell into any of the other new or existing genres would not have been captured within the new genre, whatever their broadcast hours.

In view of the evolution of this proposal, DMOL issued a follow-up letter about the revised proposal to all channels that would have been affected by the original proposal. Having tested the revised approach with affected channels, it was DMOL's view that the proposal would benefit from the opportunity for further debate and it was decided to defer a final decision on the creation of this new genre to a later date. It is our intention that this deferral will allow for a more informed debate by DMOL, channel providers and other stakeholders. The consequence of this decision is that any changes which may result in future will not benefit from the publicity surrounding the national re-tune on 30th September.

3.1.4 Clarification of the Interactive Genre

No objections were received during the consultation to DMOL's intention to clarify the definition of the Interactive genre.

The new expanded definition will now encompass all those current (and future) channels where the LCN is not the unique point of access to the service for users i.e. those services not requiring unique navigation. DMOL considers that channels that do not require an LCN as their unique point of access should not be afforded the same prominence as channels that use only LCNs for access.

The Interactive genre will remain at LCN 300.

3.1.5 Redefinition of the Adult Genre

DMOL received a considerable level of support for its proposal to redefine the Adult genre. As a result of the consultation DMOL will widen the definition of "Adult" to include all services that are licensed by Ofcom as either Adult Editorial or Adult Chat. In addition, during the consultation it became apparent that DMOL cannot simply rely on Ofcom licence definitions because 'Adult Chat' is a descriptor that will not be applied retrospectively and has been applied to channels only relatively recently by Ofcom. We also note that many of the channels which are intended for inclusion in this genre are licensed overseas, utilising the provisions of the European Union's Television Without Frontiers Directive to broadcast into the UK. They are, therefore, not licensed by Ofcom or subject to Ofcom genre classification so this cannot be the sole basis of classification. Therefore, in order to introduce this new definition DMOL will be required to apply a degree of judgement in deciding which channels to include in the "Adult" genre. DMOL believes that there is precedent for this as DMOL already exercises judgement in the categorisation of news and children's services.

The widened Adult genre will start at LCN 93.

4 Next Steps

DMOL will separately notify those channels which are impacted by the introduction of the new genres and set out the LCNs that they have been assigned as a result of these changes. LCNs in new genres will be assigned in accordance with the existing DMOL LCN Policy. Any gaps created in the overall LCN list as a result of these changes will also be filled by applying the existing DMOL LCN Policy.

DMOL will issue a revised and updated LCN Policy to reflect the changes set out in this document in due course.

As stated in Section 2, all changes to LCNs will be effected on 30th September to coincide with the DTT national retune. Further information on the national retune can be obtained from your multiplex operator or from Freeview.

DMOL intends to conduct its next periodic review of the LCN Policy in around 12 months' time.