



CULLEN INTERNATIONAL

Cross-country analysis - Western Europe

IPTV commercial offers

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IP TV consists of digital television programming offered over a transmission network employing the Internet protocol (IP) via a broadband connection to the end user. The service requires either a PC or a set-top box. The two most discussed IP TV transmission technologies are TV over DSL and TV over fibre-to-the-home (FTTH).

This table identifies the status of television programming via an IP-based platform (such as DSL or FTTH) in a Member State, as follows:

- whether a commercial launch has taken place, and if so, the details of each offer, including URLs;
- the regulatory framework, including whether there are IP TV-specific licences and conditions.

	IP TV commercial launch	Regulatory framework for IP TV
AT	<p>AonDigital TV, provided by telecommunications incumbent Telekom Austria:</p> <ul style="list-style-type: none"> • requires an ADSL line from Telekom Austria and a set-top box; • 43 TV programmes for the base fee, 8 additional TV programmes in a premium bundle, 4 radio programmes (the programmes of the public service broadcaster); • commercial launch in the city of Vienna (1.6 million inhabitants) in March 2006, available in "big parts of Vienna" (aonDigital TV website, April 2006), launch in other regions announced for 2006. <p>Telekom Austria's service aon.tv (streaming services, accessible via ADSL and PC without a set-top box) has been commercially available since 2003, but had little market success due to the limited content offered.</p> <p>infotech.at: Local FTTH provider in the region of Upper Austria, with its own fibre infrastructure.</p>	<p>IP TV is not treated as broadcasting, because it requires interaction between the network and the client to establish the stream. Only technologies, where you switch the device on and directly receive broadcast content, are considered as broadcasting.</p> <p>IP TV is not seen as an electronic communications service that would fall under the telecommunications regulation. It is a content service, delivered by means of an electronic communications service (like a website), falling under general media regulations.</p>
BE	<p>Belgacom TV</p> <ul style="list-style-type: none"> • Own infrastructure, using xDSL • Access through a set-top box 	Nothing specific to IP TV, which is considered as broadcasting.
DK	<p>TDC TV (Telecom Denmark) is an IP TV provider.</p> <p>Dansk Bredbaand provides IP TV over their optical fibre network.</p>	<p>There is no framework that specifically addresses IP TV.</p> <p>The primary law on radio and television (Law 1404 of December 15, 2005) mentions Internet:</p> <ul style="list-style-type: none"> • as a distribution method for sound and image programmes in the context of delivery of public service programmes (Art- 10); • that DR cannot have advertising revenues from its public service activities on Internet (Art. 15.2.). <p>The framework for IP TV is currently under consideration, but has not yet been subject to public consultation.</p>
FI	<p>TDC Song in combination with Maxisat:</p> <ul style="list-style-type: none"> • LLU and shared access, from 2 to 24 Mbps with an xDSL connection • accessed via a set-top box 	<p>IP TV does not fall into the scope of the broadcasting regulatory framework.</p> <p>A separate '<i>programme licence</i>' under the Act on radio and television operations 9.10.1998/744 is not needed, because a public mobile telecommunications network</p>

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	<ul style="list-style-type: none"> offered in the Helsinki region 	<p>does not qualify as a <i>'terrestrial mass communications network'</i> under § 2 of the Communications Market Act 23.5.2003/393.</p> <p>According to FICORA, neither a notification to the NRA under § 7b of the Act on radio and television operations 9.10.1998/744 is needed, because:</p> <ul style="list-style-type: none"> PSTN could be interpreted as not being a <i>"conventional broadcasting network"</i> referred to in preparatory works to the Act; and in any case; the broadcasting operations are still negligible. <p>On April 28, 2006 the Ministry published a report 23/2006 on 'IP TV today and in the near future.</p>
	<p>Elisa TV</p> <ul style="list-style-type: none"> video on demand only own DSL infrastructure accessed via PC <p>In Jan. 2006, Finnet announced that some of the local fixed operators belonging to the group will launch IP TV offers:</p> <ul style="list-style-type: none"> using their own 8 Mbps DSL infrastructure accessed via a set-top box 	
FR	<p>France Telecom, Ma ligne TV.</p> <ul style="list-style-type: none"> France Telecom own infrastructure access via a TV set-top-box <p>Neuf Telecom.</p> <ul style="list-style-type: none"> LLU full access access via a TV set-top-box <p>Free.</p> <ul style="list-style-type: none"> LLU full access access via a TV set-top-box <p>Alice (Telecom Italia).</p> <ul style="list-style-type: none"> LLU access via a TV set top box 	<p>IP TV is considered as a form of broadcasting.</p> <p>Providers of IP TV services are treated as 'distributors of TV services on a network that does not use frequencies assigned by the Audiovisual Council' (art. 34 of Law 86-1067) if they have contractual relationships with editors of services (or with other distributors) for the creation of an offering of audiovisual communication services. They are regulated by the broadcasting legislation and must submit a declaration to the Audiovisual Council.</p> <p>See also the website of Audiovisual Council.</p>
DE	<p>DT, T-Online Vision</p> <ul style="list-style-type: none"> Requirement: subscription to 'T-DSL' service based on DT's own infrastructure (DSL). It requires a set-top box. Currently it is a video on demand service and also offers news, but does not transmit the typical linear TV programmes. DT bought the broadcasting rights for Internet broadcasting from the German Football League and intends to market its new VDSL network with its IP TV capabilities. <p>Hansenet, Alice Home TV</p> <ul style="list-style-type: none"> Requirements: Hansenet own infrastructure (DSL), set-top box. Hansenet is a Telecom Italia subsidiary, operating in several big cities, coverage: about 25% of German households. 	<p>IP TV is treated as broadcasting and falls under the broadcasting regulatory framework. The definition of broadcasting is very wide. Broadcasting is defined as <i>"presentation and distribution of renditions of all kinds, intended to be received by the general public, in audio or images, using electro-magnetic waves either wireless or along or using a wire"</i> (§ 2 RStV).</p> <p>A broadcasting license for the content is required. No broadcasting license is required for an operator that just distributes other content without changing it.</p> <p>The Conference of Directors of the Regional Media Authorities discussed the definitions of broadcasting and media services in the paper "Drittes Strukturpapier zur Unterscheidung von Rundfunk und Mediendiensten" (2003). The main difference between a broadcasting service and a media service is, that broadcasting services present and distribute renditions ("Darbietungen", which has a higher relevance for public opinion) whereas media services are information and communication services ("Informations- und Kommunikationsdienste"). The paper is very detailed and also contains several examples.</p>
GR	No offer	

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IE	<p>Magnet Networks uses FTTH and services can be accessed via a TV set-top box.</p> <p>Smart Telecom ("Smart Vision") uses FTTH and services can be accessed via PC or a TV set-top box.</p>	<p>No specific regulatory framework for IP TV.</p> <p>IP TV operators only need a general authorisation to provide services.</p> <p>No broadcasting content licence is required as long as only existing content is transmitted (and therefore no programming is produced).</p>
IT	<p>Fastweb:</p> <ul style="list-style-type: none"> Fastweb's own FTTH or ADSL based on full LLU from Telecom Italia Requires a set-top box <p>On November 28, 2005 Telecom Italia launched 'Alice Home TV'. According to plans, it will cover:</p> <ul style="list-style-type: none"> 2 million families, initially in Rome, Milan, Bologna and Palermo; from January 22, 2006 a total of 4 million families; and at the end of 2006, a total of 8 million families. <p>Based on 'Alice 4 Mega' TI 4 Mbps ADSL access lines.</p>	<p><i>[Research ongoing, confirmation needed]</i></p> <p>'Network operators'</p> <p>Relevant provisions of broadcasting regulation apply.</p> <p>General authorisation i.e. notification to the Ministry under electronic communications legislation, i.e. Decreto Legislativo 1 agosto 2003, n. 259, Codice delle comunicazioni elettroniche</p> <p>'Content providers'</p> <p>Relevant provisions of broadcasting regulation apply.</p> <p>Authorisation from the Ministry under broadcasting legislation, i.e. section 21 of Decreto legislativo 31 luglio 2005, n. 177, Testo unico della radiotelevisione</p> <p>'Providers of associated interactive services and conditional access'</p> <p>Relevant provisions of broadcasting regulation apply.</p> <p>General authorisation i.e. notification to the Ministry under electronic communications legislation, i.e. Decreto Legislativo 1 agosto 2003, n. 259</p>
LU	No offer	
NL	<p>KPN, Mine TV</p> <ul style="list-style-type: none"> Own infrastructure TV set-top box <p>Tele2 TV:</p> <ul style="list-style-type: none"> Full LLU access through a set-top box 	Nothing specific to IP TV, which is considered as broadcasting.
NO	<p>Telenor</p> <p>iCanal</p> <p>Content services bundled to Telenor's ADSL offer. Access via PC.</p> <p>NextGenTel</p> <p>BroadPark</p> <p>LLU and shared access. Content services bundled to NextGenTel's ADSL offer. Access via PC.</p> <p>Lyse</p> <p>Own FTTH infrastructure. Access via TV set-top box.</p>	<i>[Research ongoing]</i>
PT	No offer	
ES	<p>Telefónica 'Imagenio':</p> <ul style="list-style-type: none"> Telefónica's own infrastructure access via a TV set-top-box <p>'Imagenio' provides Internet access, content on demand (video and audio) and interactive services as well as TV and digital audio.</p>	<p>When the Ministry of Science and Technology (now Industry, Tourism and Trade) approved Imagenio at the end of December 2003, it analysed the different components of the service, in particular:</p> <ul style="list-style-type: none"> Content on demand services/interactive services, which were considered as electronic communication services falling under the scope of Law 32/2003 of November 3, 2003 (General Telecommunications Law). However, in the Ministry's view, these were also emerging markets and therefore no specific obligations were defined. TV and digital audio: the provision of this service should be subject to broadcasting regulation, in particular to the need to have the corresponding distribution licence (held by Telefónica Cable).

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		<p>NB Telefónica Cable is the provider of this component to whom Telefónica provides a wholesale transport and transmission service through its network to deliver TV and audio signals to end-users.</p> <p>Telefónica's LLU reference offer was amended to allow other alternative operators to offer retail services, which can compete with those provided under Imagenio.</p> <p>IP TV was not discussed so far in the context of the market analyses carried out by CMT.</p>
SE	<p>Bredbandsbolaget (Telenor) with Viasat</p> <ul style="list-style-type: none"> own fibre and LAN infrastructure and xDSL based on LLU from Telia Sonera; accessed via a TV set-top box. <p>TeliaSonera</p> <ul style="list-style-type: none"> own fibre and xDSL infrastructure; accessed via a TV set-top box. <p>FastTVnet (SkyCom)</p> <ul style="list-style-type: none"> fibre infrastructure from over 20 municipal networks; accessed via a TV set-top box. <p>Canal Digital (Telenor)</p> <ul style="list-style-type: none"> fibre infrastructure; accessed via a set top-box. 	<p>There is no framework that specifically addresses IP TV. The subject is currently being considered. On July 18, 2005 the Ministry of Culture and Education published a report on the necessary amendments to the Radio and Television Act as a result of the transition to digital technology (SOU 2005:62).</p> <p>The report concludes that IP TV should be considered as a broadcasting service to general public and therefore should be subject to the provisions of the Radio and Television Act (1996:844) – see Chapter 11, p. 206-208.</p> <p>No broadcasting transmission licence or registration with RTVV is required, as long as there is no original programming produced.</p>
UK	<p>Homechoice (owned by Video Networks Ltd) provides IP TV since 2004 (a re-launch of a service originally offered in 2000):</p> <ul style="list-style-type: none"> uses fully unbundled loops from BT; users access broadcasting content via a TV set-top box, available in London only; 80 broadcast channels plus video on demand (over 1,000 movies), available in basic and extended packages; bundled with telephony and broadband Internet service (from 2 – 8 Mbps); subscriber estimates between 4,000 and 10,000 in 2006 (according to press reports). <p>BT plans to launch its IP TV service BT Vision in late summer/early fall 2006.</p>	<p>UK broadcasting regulations do not specifically address IP TV. Ofcom is not currently pursuing IP TV-specific policy initiatives.</p> <p>Homechoice currently holds a cable and satellite broadcasting content license ('<i>television licensable content services</i>' or TLCS license), which is required according to the Communications Act as it offers programming via an electronic communications network (see Ofcom, Television Licensable Content Services: Guidance Notes, April 2006).</p>