

RESTRICTED

PART I, ITC MINUTES 77(97)

**Minutes of Part I of the Seventy-Seventh Meeting
of the Commission held at 9.00 am on Thursday 19 June 1997
at the ITC, 33 Foley Street**

PRESENT:

Chairman:
Deputy Chairman:
Members:

Sir Robin Biggam
The Earl of Dalkeith
Dr John Beynon
Mr Roy Goddard
Ms Jude Goffe
Mrs Eleri Jones
Dr Maria Moloney
Mr John Ranelagh
Dr Michael Shea

ALSO PRESENT:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

BY INVITATION:

[REDACTED]

[REDACTED]

Preliminary Points

1. The Chairman suggested that the meeting should be divided into two parts, Part I dealing with multiplex licensing (item 4) and Part II with the remainder of the ITC Agenda 77(97). This was AGREED.

Minutes of the 76th Meeting of the ITC held on 12 June 1997

2. It was AGREED that the minutes of the 76th meeting of the Commission should be confirmed and signed.

Digital Terrestrial Television: Competition Issues - ITC Paper 89(97)

3. The analysis of the paper was NOTED and APPROVED. [REDACTED]

4. Mr [REDACTED] provided Members with an update on events which had occurred since the last meeting. He said a written response had been received from DTN, copies of which had been circulated to Members in ITC Information Paper 58(97). It was AGREED that the terms of DTN's response were acceptable and had complied with the terms of the request made to DTN in [REDACTED]. BDB had asked for a further 48 hours in order to reply, which had been granted. The actions taken were NOTED and APPROVED.

5. A further letter from DTN dated 18 June 1997 (addendum to ITC Paper 89(97)) had been tabled. Mr [REDACTED] was invited to give his views of the letter. [REDACTED]

[REDACTED] It was AGREED that DTN's letter raised no new issues in the context of awarding the licences.

6. The Chairman and Mr [REDACTED] reminded Members of their statutory duties and the matters to be brought into consideration under sections 8(1) and (2) of the Broadcasting Act 1996 when awarding the multiplex licences, also bearing in mind the Commission's duties under section 2(2) of the 1990 Act. Responses to the public consultation also needed to be taken into account. Members were reminded that they must have regard to the extent to which the award of each licence would be calculated to promote the development of digital television broadcasting in the United Kingdom otherwise than by satellite.

7. There was a full discussion of matters bearing on the decision as to whether, and if so, to which applicant, to award licences B, C and D. It was AGREED that a decision should be deferred until after receipt of a letter expected from BDB in response to the Secretary's letter of 4 June.

8. It was AGREED that a further meeting to discuss the matter should be convened for early the following week. The Chairman invited Members to agree that the procedure adopted at the meeting in November 1996 for there to be a period of notice of not less than three working days for the calling of an extraordinary meeting of the Commission should in this instance be waived. The Chairman's proposal was AGREED.

MGR

20 June 1997