

Additional comments:

I am responsible for the Production Sound Recording for the Harry Potter films, and currently at work on 'Harry Potter and the Deathly Hallows' at Leavesden Studios in Hertfordshire.

I rely heavily on wireless microphones to achieve the sound for the film. I have built my career on the back of Channel 69 (i.e. 67 to 69) and its being regulated and allocated to PMSE users, for use on the various and diverse productions we work on.

I appreciate your giving due consideration to PMSE users and to finding us a new home in your consultation document.

I am freelance, self-employed and have had to build up a kit of equipment to do the job, piece by piece, trying to buy one item on each production I've worked on over the years.

Unfortunately, there is an assumption in our industry that Production Sound Recordists will own their own equipment (and pay their own licence fees) and, it is often one of the first questions asked by producers, before we will get offered a job. So we are expected to invest heavily in equipment in order to have a chance of being employed.

When we talk about Channel 69, we should assume we are talking about channels 67 to 70, as it is the availability of the adjacent channels that has made this band become invaluable and has shaped how we have developed our working methods/ purchasing strategies/ ways of shooting scenes/ careers.

Harry Potter is the most successful film franchise ever, and I would not be able to achieve usable sound without 24Mhz of available spectrum.

On this film it is, but on the majority of film and TV productions, it is not possible to know where they will shoot on a particular day, nor how many wireless channels will be required, so it is not practical to licence each channel individually by the date/ location.

If Channel 69 were to become free for all, and we were not provided with a regulated band to move into, Warner Brothers would find it unacceptable that any member of the public could, using domestic equipment, listen in to, and potentially record, filming and actors off-camera private discussions.

It would not be too extreme to suggest they may pull out of the UK if such a scandal were to happen in public - controls have to be in place.

Unregulated frequencies are almost useless to us.

We cannot set up all the crew and important stars for a multi-million pound shoot, only to find we have interference on the wireless equipment - this would destroy our careers and the UK as a film-friendly location.

It seems the proposal to move us to channel 38 and its adjacent channels is indeed the best compromise, (even though it means it will be more difficult to conceal the longer antennae on actors body-worn transmitters), as long as we get at least as much spectrum as we have had with 67 to 70 being available for our use.

It is not acceptable for us to be downgraded to just one 8MHz band of Channel 38 on its own.

You have stated that you favour a market led approach, but I would counter that, as you have only just turned radio spectrum into a "commodity for sale", established historical users could not be expected or able to compete in an auction for said "commodity". I appreciate your informed acknowledgement of PMSE users requirements in tempering a purely market led approach.

This is where technology crosses over with culture and tourism as well as many other unquantifiable benefits from the work of the PMSE community.

We are constantly innovating and developing our working practices, I currently have 3 channels of digital wireless and (apart from audibly delaying the sound due to the digital processing) this doesn't in practice help me get more usable channels, but the one thing that we need to be able to rely on, no matter how clever we get with our technology, is available, regulated radio spectrum.

I am currently needing to buy 2 new wireless channels for the current film but we seem to be in a bind that prevents this; in that we won't be compensated for Channel 69 equipment purchased after February 2nd?, yet Channel 38 is not allocated for our use.

If I buy Channel 69, it will be redundant within 3 years.

Why make a cut-off date before an alternative is available?

Can you help with any advice as to what we should do and why this ridiculous 'catch 22' situation has been put in place?

On another point, I have heard that the proposal is only to compensate for equipment less than 10 years old.

You should know that international wireless users; Sound Recordists William Sarokin (Sex and The City, American Gangster, Stephen Spielberg's Munich), Jeff Wexler (Mission Impossible, The Last Samurai, Fight Club) and myself, are using equipment purchased from the UK's very own "Audio Ltd" which is more than 15 years old, to capture the dialogue of actors such as Tom Cruise, Denzel Washington, Russel Crowe, Jodie Foster, Angelina Jolie etc etc, which is heard and enjoyed and paid for by millions around the world.

How can you propose outlawing, (or deregulating the band) our use of such equipment without compensation?

Wireless equipment for films is expensive and we are all one-man-businesses; my sound equipment is the most valuable thing I own and the radio mics are a large percentage of that investment.

We do not earn enough money, that we can afford to write-off this investment.

If I sold my car, it wouldn't even pay for 2 replacement radio mics and I need at least 6 and preferably 12 for a film of this scale (hiring additional units and licensing additional frequencies where necessary).

thank you for your time in reading my concerns

and best wishes for finding a sane solution that is not purely driven by the bottom line
Stuart Wilson

Head of Sound Department - "Harry Potter and the Deathly Hallows"

Question 1: Do you agree that clearing DTT from channels 61 and 62 and PMSE from channel 69 to align the upper band of cleared spectrum in the UK with the emerging digital dividend in other European countries is likely to further the interests of citizens and consumers to the greatest extent?:

yes

Question 2: Do you agree that the proposed DTT migration criteria are proportionate and appropriate? If not, please explain why and clearly identify any other criteria you believe should be adopted and why.:

Not unless PMSE is protected or given sufficient alternative spectrum to use.

Question 3: Do you have views on the options identified and our assessment of them? Do you believe there are other, superior options, and, if so, why? Do you agree that the hybrid option is most consistent with the DTT migration criteria?:

Question 4: Do you have views on the implementation-timing options identified and our assessment of them? Do you agree that DSO-integrated implementation is most consistent with the DTT migration criteria? If not, why not?:

Question 5: Do you agree that a programme-control and -governance arrangement such as that outlined above is appropriate?:

Question 6: Do you agree that the four cost categories adequately capture the costs associated with clearing DTT from channels 61 and 62? Are there any costs that do not appear to have been accounted for in any of these categories?:

Question 7: Do you agree that our cost profile is a reasonable basis for planning the capital expenditure for clearing DTT from channels 61 and 62?:

Question 8: Do you agree that these are the most appropriate criteria to assess which spectrum is the best alternative to channel 69 for PMSE?:

see above "Additional Comments"

Question 9: Do you agree with our technical and coverage analysis of the possible alternatives to channel 69 for PMSE?:

yes

Question 10: Do you agree with our economic assessment of the realistic alternatives to channel 69 for PMSE?:

No. This is where technology crosses over with culture and tourism as well as many other unquantifiable benefits from the work of the PMSE community.
A purely market driven allocation is unfair to established users.
see above "Additional Comments"

Question 11: Do you agree that channel 38 is the best alternative to channel 69 for PMSE?:

Only if adjacent channels are guaranteed available to create a 30MHz band for PMSE use.

Question 12: Do you agree that we should award channel 38 to the band manager on the same terms as would have applied to channel 69?:

Not if an attempt is made to make independent PMSE users pay as much as large corporations.
see above "Additional Comments"

Question 13: Do you agree with our proposal to maintain PMSE access to channel 36 on 12 months? notice to cease and to the rest of the cleared spectrum (channels 31-35, 37 and 61-69) until DSO is completed in the UK in late 2012?:

see above "Additional Comments"

Question 14: Do you agree with our approach to determining eligibility for, and our assessment of the level of, funding to move PMSE from channel 69?:

see above "Additional Comments"

Question 15: Do you agree that three years is long enough for PMSE to move from channel 69?:

Yes

Question 16: Do you agree that with our analysis of the key impacts of our policy options? Are there any other key impacts we should assess?:

agree with most, see above "Additional Comments"