Television A.C.? Change and Continuity in Television

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Abstract

*"Television A.C." stands for television after convergence.
Suggestions that "television A.C." is or will be qualitatively and
fundamentally different from traditional television abound in
the literature. Forecasts for the future range all the way from
"transformation" (a paradigm shift involving the dismantling of
traditional television) to "stagnation", or - at best - "Broadcast
Plus". Though all the technological prerequisites are already
available, social and cultural factors have so far prevented
"transformation". There has been a great deal of change in
television, but also a lot of continuity. The television landsca-
pe will most likely incorporate elements of all the scenarios
discussed in the paper.*

*Convergence is posing many challenges to legal and institu-
tional frameworks of regulation. The jury is still out on whe-
ther the merger of telecommunications and broadcasting law
and regulatory authorities is the best way to deal with these
challenges. In many cases, countries with strong and well-
established broadcasting regulatory bodies retain them and
seek to promote not their integration, but closer cooperation,
with telecommunications regulators.*

Key words
*Television, convergence, future scenarios, paradigm shift, chan-
ge and continuity, legal and institutional regulatory solutions.*

Resum

*La "televisió D.C." designa la televisió després de la conver-
gència. En els mitjans escrits preval l'opinió que la "televisió
D.C." és o serà qualitativament i fonamentalment diferent de
l'actual. Els pronòstics de futur van des de la "transformació"
(un canvi de paradigma que implica el desmantellament de la
televisió tradicional) a l'"estancament" o -en el millor dels
casos- "Emissions plus". Tot i que els requisits tecnològics ja
són disponibles, els factors socials i culturals han impedit de
moment la "transformació". S'ha produït un gran canvi en la
televisió, però també continuïtat. El panorama de la televisió
incorporarà probablement elements de tots els escenaris ana-
litzats en l'article.*

*La convergència planteja molts reptes als marcs jurídics i
institucionals de regulació. El jurat encara delibera sobre si la
fusió de les telecomunicacions i de les autoritats l'audiovisual
i de les autoritats reguladores és la millor manera de tractar
aquests reptes. En molts casos, els països amb organismes
reguladors forts i ben establerts els mantenen i no fomenten
la seva integració, sinó una cooperació estreta, amb els regu-
ladors de les telecomunicacions.*

Paraules clau
*Televisió, convergència, escenaris futurs, canvi de paradigma,
canvi i continuïtat, solucions normatives legals i institucionals*

"Television A.C." stands for "television after convergence".
Suggestions that "television A.C." is or will be qualitatively and
fundamentally different from traditional television abound in
the literature. We need to know whether such forecasts are
likely to be confirmed or not in order to understand where tel-
evision is really going. We will concentrate here on the gener-
al direction of change and its main features.

Convergence, let us recall at the outset, leads to "the grow-
ing ability of a range of digital distribution networks to carry
different types of content (audio, video, text and other data)
and services to a variety of consumer devices" (OFCOM
2008a: 89). Convergence also leads to the media acquiring
the features of digitality, hypertextuality, dispersal and virtual-
ity (Lister, Dovey, Giddings, Grant and Kelly 2003) and com-

bining interpersonal communication and mass media dimen-
sions on the same platforms (Cardoso 2006; see also Mueller
1999). The process has far-reaching ramifications and so, as
noted by Latzer (2009), we may distinguish different types of
convergence: technological, corporate, socio-functional, recep-
tive, spatial and regulatory.

Of course, the process of convergence is by no means com-
plete. The new media and the technologies behind them are
still at what could be described as their "chrysalis" stage, i.e.
at an intermediate phase of their development when their fea-
tures and uses, as well as the opportunities and potential dan-
gers associated with them, are not yet fully explored
(Jakubowicz 2009).

We propose here to examine some main elements of the

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Table 1. "Generations" of TV

Noam (1995)	Galperin and Bar (2002)	Roel (2008)
Privileged TV: a handful of channels, behaving in an oligopolistic way	**Fordist television**: one way broadcasting of a few channels	**Paleo-television:** the initial age of public or state monopoly
Multichannel TV: greater commercialism, greater diversity and greater specialization in channels	**Multichannel television**: one way broadcasting of multiple video channels	**Neo-television:** public and commercial sector compete, and "broad-casting" coexists with "narrow-casting," i.e. thematic channels
Cyber-Television: distributed, decentralized cyber-television	**Interactive TV**: two-way delivery of multiple video channels and other services	**Post-television:** multiplication and personalization of programme offers; non-linear delivery and individualised TV; time- and place-shifting technologies; alternative distribution platforms – mobile telephony, PDA or the Internet

Source: In-house.

process of change in television and to suggest a rough analytical framework for considering it.

The evolution of television is often presented as a three-stage process of transition, as in Table 1.

This is often presented as an objective and inexorable progression to third-generation cyber- or post-television. Real-life developments and the prevailing opinion of media scholars suggest otherwise. To begin with, let us briefly present (for reasons of space it will not be possible to discuss this at length) two pertinent conclusions from the literature:

• Many authors agree with Fidler's (1997) view that mediamorphosis encompasses *inter alia* "coevolution and coexistence" of all forms of media: the "survival" of older forms, if they adapt and evolve, as well as "propagation", whereby later forms of media propagate dominant traits of earlier media forms, and that therefore media changes continues to be "cumulative" (newly emerging media do not replace older media, though they may have modified their functions and content; see e.g. Fortunati 2005; Bolter and Grusin 2000);

• Technological determinism, i.e. extrapolating a medium's development and evolution solely from advances in technology can, when other factors are disregarded, lead at the very least to overestimating the pace and scale of change. Like Williams (1974), we should rather speak of a "social history" of television, of the powerful impact of social, economic and cultural factors, i.e. of "supervening social necessity" that determines the emergence and application (or not) of technological inventions (Winston 1990); or of the "pathway of interaction between society and technology", whereby needs experienced by society, usually as a consequence of changing material and environmental circumstances, lead to the search for technological solutions and – we may add - affect the manner of their application (McQuail 2007; see also Sawhney and Lee 2005; Stöber 2004). As summed up by Karaganis (2007: 9): "New

technologies take hold only in the context of accompanying cultural innovation as their latent possibilities are explored. This interdependence means that technologies are not merely received but, through processes of adoption, socially defined and, eventually, socially embedded in new collective and institutional practices".

What is "television" and how will it evolve? Some scenarios

Let us begin by briefly listing the main features of "traditional" television. According to McQuail (2005: 36), they are: very large output, range and reach; audiovisual content; complex technology and organization; public character and extensive regulation; national and international character; very diverse content forms. Traditional television is, of course, a quintessential mass medium, addressing a mass audience.

Forecasts of how the media in general, and television in particular, will develop include Robin Foster's (2007) four possible scenarios. They are: (i) **transformation**: dramatic decline in the use of scheduled broadcast TV, as distribution platforms serving as common carriers link millions of individual consumers to many thousands of content suppliers; (ii) **consolidation**, with only a small number of largely vertically integrated main players remaining on the market; (iii) **extreme fragmentation**: a significant digital divide and highly fragmented consumption, producing an impoverished broadcast sector, a highly fragmented online sector, and a major digital and cultural deficit among those who are unable to participate fully in the new broadband world; (iv) **stagnation**: slower than expected growth in demand for new broadband and digital services, with no large-scale investment in new technologies (see also OFCOM 2008a).

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Figure 1. Three scenarios selected for 2028
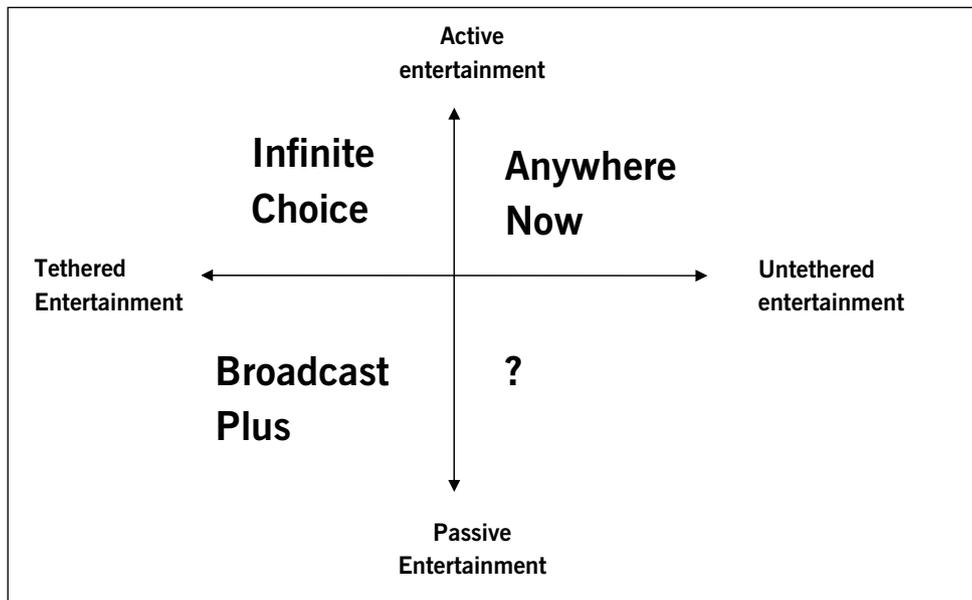
Source: OFCOM (2009).

OFCOM's (2009a) predictions of what the UK entertainment sector will look like in 2028 accept that technological advances are likely to be dramatic, but note that the greatest uncertainty concerns future end user demand for entertainment. This shows precisely that a socio-culturally-deterministic, and not technologically-deterministic approach is the right one. Media evolution is determined not by the availability of technology but by the uses that people will (or will not) make of it.

OFCOM (2009a) envisages three possible scenarios, as shown in Figure 1. Under the **Broadcast Plus** scenario, the majority of the population would prefer scheduled video delivered through a mix of subscription and advertising-funded services. The main reason for this would be the convenience and ease of use of schedules. Broadcasters would remain strong in their traditional roles but a handful of broadcasters would dominate in the new markets of targeted advertising and the supply of personalised channels. These broadcasters, with the biggest profit streams available to fund content, would be the most successful in the supply of traditional scheduled television.

Under the **Infinite Choice** scenario, consumers of virtually all ages would embrace the participative and immersive experiences of entertainment which the Internet can offer over second-generation broadband networks. As a result, the bulk of entertainment content and services would be delivered over the Internet, although a minority of the population would still watch broadcast television. Consumers would be attracted to Internet-based entertainment by the almost infinite variety of content that is available. Some would use active video search. Others would rely on recommendations from social networking with friends or buy from entertainment stores. Yet others would subscribe to personalised schedules.

Finally, under the **Anywhere Now** scenario, most people would use their mobile personal devices as the primary means of controlling the consumption of entertainment, making it a more personal experience. Services would be available anywhere and at any time by using the personal device to access services via a mix of WiFi and cellular network connections. Internet-based entertainment would dominate but the personal device rather than the home network server would be key to the consumption of entertainment. If consumers wanted a "sofa cinema" experience, they would link their personal device to a large high-definition screen to view in the living room or bedroom. The terrestrial TV broadcast platform would be switched off, following migration to satellite platforms for high-definition multichannel broadcasting and to Internet-based entertainment.

By now, little is left in these scenarios of unavoidable progression to third-generation cyber- or post-television. The "Broadcast Plus" scenario is presented as a viable alternative, even though it assumes relatively limited change compared to the present situation.

In the same report, OFCOM (2009a) looks at the process which may be decisive in determining which of the three scenarios will prevail, i.e. prospects for the transfer of television to broadband networks. The extent to which television programming is accessible and, most importantly, consumed on demand and online, via broadband networks, can serve as a key indicator of the direction and pace of change in television.

In addition to other factors, OFCOM - correctly, in our view - identifies demand for online video content as the key determinant of the evolution of television. Demand, of course, is a consequence of social, cultural, financial and technological circumstances. On this basis, four scenarios for future demand for

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Table 2. The mass communication process before and after convergence

Before	After
Large scale distribution and reception	Distribution at once global and personalized
One-directional flow	**Two-way flow: the audience can respond or provide content to be disseminated by the medium**
Asymmetrical relation	**User can respond, offer feedback and content, engage in dialogue**
Impersonal and anonymous	Affected by individualization and personalization
Calculative or market relationship	**UGC and new communicators change that**
Standardized content	Highly diversified content

Source: Adapted from McQuail (2005).

online video content are developed, along a continuum from the gradual increase in demand to almost universal demand for online content.

Scenario 4 (almost all TV is HD, on demand and consumed over IP networks, so it is closest to the cyber-television or post-television from Table 1) is – according to the authors – an extreme scenario that is less likely to emerge. They believe scenarios 2 and 3 (major shift to on-demand, often over IP networks, larger proportion of content from specialist channels; limited shift to broadcasting linear content over IP networks; significant move to DVDs being downloaded) are quite likely to emerge if New Generation Access (super-fast broadband services) is widely deployed.

Elements of change in television

With reference to McQuail's description of the main traditional features of mass communication and the mass audience, we can see that convergence has the potential to leave practically none of them unchanged, as is clear from Tables 2 and 3 (the "Before" columns represent features of mass communication and the mass audience as identified by McQuail; the "After" columns have been added by the present author).

Some of these processes of change are shown in bold print because, in our view, they form part of what would amount to a major "paradigm shift" as far as traditional television is concerned. From this point of view, we can identify three groups of processes of change in terms of their impact on traditional television. These are shown in Table 4.

We should note that the "liberation of content" has required, as in Article 1 of the Audiovisual Media Services Directive (AVMSD), the invention of a new term for what used to be called "television" and is now called "an audiovisual media service". It is defined in terms of the purpose for which content is distributed ("the provision of programmes in order to inform, entertain or educate, to the general public") and not by the technology used for this purpose (provision of this content can happen, as stated in the directive, by means of any "electronic communications network").

What is called here a "paradigm shift" would correspond to what Foster (2007) calls "transformation" (see above). We would take this to mean either (1) basic structural change and decentralization in content provision, or (2) an end of the division into active content providers and passive receivers of this content, so that content could be contributed by both sides. As for "fundamental change", individualized distribution of content by content providers would enormously change the audience experience.

Individualization and personalization of content are also possible in OFCOM's "Infinite Choice" scenario. In this case, the audience would move from passive to active reception ("active" in the sense of searching for and selecting content to watch, but not in the sense of contributing content), but not to active participation in content production and distribution, as in the "paradigm shift". The same would be true of possible audience involvement in the formulation of general broadcasting policy or specific programme policy of particular programme/service providers. This would certainly be revolutionary but would still not affect the basic traditional framework of television (regarding changing sender-audience relationships, see Carpenter 2009; Enli 2008; Sundet 2009; Ytreberg 2009)

Finally, as regards "secondary change", the processes listed here should not, of course, be underestimated. For example, new content production processes (see e.g. Erdal 2009; Verweij 2009) require significant adjustments in the way programme/service providers operate and are organized. Still, by themselves they may change little in the way traditional television operates vis-à-vis the audience.

From our point of view, therefore, the main question is the pace and degree of change from "before" to "after", as shown in Tables 2 and 3.

Table 3. The mass audience before and after convergence

Before	After
Large numbers	Full range – from global to individual reception
Widely dispersed	Addressability and localization mean that clearly identifiable audiences or even individuals can be reached
Non-interactive and anonymous	**Interactive and potentially personalized**
Heterogeneous	Potentially homogenous
Not organized or self-acting	**Capable of organization, reaction, response**
An object of management or manipulation	More media literate, resistance to propaganda or manipulation

Source: Adapted from McQuail (2005).

Table 4. Three types of change in traditional television

Type of change	Description
Fundamental "paradigm shift"	• Elimination of the basic framework whereby content is assembled into a programme on offer and distributed by a number of dedicated organizations (broadcasters or media service providers) • An end to the passive role of the audience, with all the content coming from the broadcaster/provider
Fundamental change	Transition from generalist "one-size-fits-all" programme services (via thematic channels/services) to individualized distribution of content by content providers within the traditional television framework
Secondary change (examples)	• Ability to receive content on different screens (TV, PC, PDA, mobile television, etc.). • Introduction of 3D TV • Availability of content in linear or on-demand (non-linear) form • Audience's ability to engage in time- and place-shifting for content reception • New multimedia content production methods • Structural and organizational change in television organizations to enable them to adapt to convergence • "Liberation of content": it is no longer bound to one physical medium • "Liberation of archives": access to old content can easily be made available to all interested parties via the Internet ("Media (re)gain a memory")

Source: In-house.

"Transformation" or "Broadcast Plus"?

Below we provide a very brief overview of some of the main trends in the evolution of television which may suggest which of these two scenarios will prevail in the foreseeable future. We will concentrate on the question of whether what we have called the traditional television framework is being challenged to an extent that would amount to a "paradigm shift".

According to the European Audiovisual Observatory (2010), what we are seeing in 29 EU member and candidate countries is "growth of the number of television channels and multichannel platforms in Europe despite the crisis". More than 245 Eu-ropean television channels were launched in the

course of 2009 (approximately 220 channels ceased transmission). Of the 7200 European channels, more than half are regional or local channels, 43% are national channels and 6% international. Many of these channels are thematic, with cinema (and fiction), sport and classic entertainment channels occurring most often.

The cable market is consolidating while the number of IPTV, satellite and mobile TV operators continues to increase. There are over 4000 cable operators in the 29 countries.

In line with the deployment of DTT throughout Europe, the number of companies distributing pay DTT services has risen from 14 at the end of 2008 to 20 at the end of 2009.

The number of IPTV operators increased from 68 at the end

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of 2008 to 90 at the end of 2009. There has also been a growth in the number of satellite packagers available in Europe, an increase from 51 at the end of 2008 to 60 at the end of 2009.

The total number of operators of services for mobile networks (both TV services for mobile phones on 3G networks and mobile personal TV over DVB-H) has also increased, despite the fact that DVB-H platforms have only taken off in a couple of European countries. 114 television channels have been established specifically for mobile services and these are often versions of well established channels.

So much, very briefly, for the supply side in Europe. But what about the more important demand side? Part of the answer is provided by OFCOM in its research report *The International Communications Market 2008. 4. Television* (OFCOM 2008c; see also OFCOM 2009b), which draws comparisons between the UK and six large comparator countries – France, Germany, Italy, the US, Canada and Japan, and also includes data from another five countries – Poland, Spain, the Netherlands, Sweden and the Republic of Ireland.

In most countries in that study (except Japan), around half of respondents with Internet access said that TV was their first choice of media to find out about world or national news, as opposed to using the Internet, newspapers or radio. TV was the most popular first choice for entertainment across all countries surveyed, ranging from 45% of respondents in the US to 60% in France and Germany.

We might note that the Internet also serves as a platform for consuming television content. In the US, for example, 158 million Internet users watched online videos during July 2009 – the largest audience ever recorded – and streamed a record 21.4 billion videos during the month. 81% of the total U.S. Internet audience viewed online video in July, with the average online viewer watching 500 minutes of video, or 8.3 hours (Hefflinger 2009)

This is in line with the findings of a study conducted in the UK, where there is a strong interest in multi-screen TV viewing capabilities: 55 per cent of survey takers showed an interest in services that allow them to seamlessly switch the viewing of programmes between multiple devices, such as PCs and smartphones. The study also showed a growing interest in accessing TV content through mobile television devices (QuickPlay Media 2010).

Similar findings are reported by the European Media Engagement Barometer, covering the UK, Sweden, France, Germany and Spain (Motorola (2010)). Viewers now access television programming via a range of distribution channels (streaming Internet video, television on-demand and downloading video from the Internet) and want to control and customise the content experience, as well as share content between different devices. However, there is still a preference for watching live television. Sweden is the only country where respondents stated they would rather watch live/streaming Internet video (48 per cent) compared to live television (28 per cent).

Motorola (2010) speaks of the "the Internet Era of TV". Nielsen's (2009a: 1) "three screen report" shows, however, that while DVR and online video usage show most growth in the US, traditional TV "remains strong (…) consumers are clearly adding video platforms to their weekly schedule, rather than replacing them". Even American teenagers, Nielsen (2009b) reports, are not abandoning TV for new media: in fact, they watch more TV than ever, up 6% over the past five years in the US.

Deloitte Touche Tohmatsu (2010) adds that many watch TV and simultaneously engage in electronic communication via a separate device. This promotes what is known as the "water cooler effect": blogs and social networks such as Facebook and Twitter enable a conversation about the programming people are watching, encouraging them to split their time between the computer screen and big-screen TV (OFCOM, 2008c, reports that concurrent media use, or stacking, is now common: between 70%, as in Italy, and 83%, as in Japan, of consumers across countries covered by the OFCOM report, claim to access the Internet while watching TV). This helps drive up the ratings and thus prompts television stations to regard the Internet as a "friend", rather than as an "enemy" (Stelter 2010).

Most importantly, however, Deloitte Touche Tohmatsu (2010: 4-5) says in its "media predictions for 2010" that "linear's got legs: the television and radio schedule stays supreme". According to this prediction, in 2010 over 90% of all television and over 80% of all audio content will continue to be consumed linearly. The report states: "It may be that, in the long run, the majority of all audio and video consumed will be nonlinear. But in 2010 most consumers of content are likely to remain happily beholden to the schedule, rather than resentful of what some pundits have labeled the 'tyranny of the schedule'". Among the many reasons for this view provided in the report is a phenomenon noted also in other publications, namely that with the number of choices available, "choosing programs one-by-one [becomes] tedious and superfluous". Ease of use and inertia promote continued preference for linear reception. It may, says the report, "remain dominant not just in 2010 but for many years to come". If so, then so will the dominance of the broadcaster/content provider.

Let us now look at prospects for the other main element of a putative "paradigm shift" to unfold, i.e. for passive receivers to become transformed into active "prosumers", engaging in content creation and distribution on a scale that would end the dominance of traditional content providers. This phenomenon usually goes under the name of "user-generated content" (UGC) or "user-created content" (UCC), "consumer-generated content", "citizen journalism", "social media" or 'participatory media", Let us note immediately that this usually refers to users of the Internet (Le Borgne-Bachschmidt, et al. 2008; Wunsch-Vincent, Vickery 2007; Thurman, Neil 2008; Jakubowicz 2009) and that according to research only a relatively small minority of them (admittedly, their number goes into the millions worldwide) are prepared to play such an active role (see also Horrigan 2007).

Table 5. Different forms of UGC

Type of UGC	Description and use	Examples
Audience-generated news content	Forms of UGC used by news, such as images, experiences and 'new' stories	Breaking news stills, audio and video, case studies and story tip offs
Audience comment	Expressions of audience opinion	Contributions to online discussion boards or radio phone-ins
Collaborative content	Non-news material produced through collaborations between broadcasters and contributors	Short films, personal biographies
Interactive journalism	The collaborative creation of news content	Audiences researching and adding to news stories
Other non-news content	All other non-news material	Reviews, non-news images, recommendations

Source: Scott (2009: 17)

UGC is also discussed within the context of broadcasting. Table 5 shows the main forms of UGC, as identified by broadcasters.

Some forms of UGC go beyond a strictly controlled and limited form of content provision. One such example is a citizen journalism TV show launched by Endemol in 2007 in the Netherlands (Luft 2007). The daily half-hour programmes - called *Ik op TV* (Me on TV) – are developed in partnership with the Dutch citizen journalism service Skoeps. News videos could be uploaded onto the Skoeps.nl website, as well as via the show's site. They are then screened before being placed on the sites and selected for the presenter-led TV show.

A more ambitious form of UGC in broadcasting was Fame TV, launched in 2006 on the Sky satellite platform in the UK. It relied entirely on members of the public for its programming content. Viewers were able to upload video clips, pictures and texts via mobile phones and the Internet, being live on air within 15 minutes of the user submitting the content. Viewers were invited to send in their own music selection which would be played as the backing soundtrack to clips during broadcast. They had full control over what they saw on screen and could vote via SMS for the clips they want to view. The channel does not appear to have survived for long.

These and other examples show that UGC is still a marginal presence on traditional television and, however important or promising, is still incapable of producing a "paradigm shift".

It should be abundantly clear by now that, on the continuum between "Broadcast Plus" and "Transformation", we are still very much in the "Broadcast Plus" scenario.

Regulating Television A.C.

As shown by the debate on the European Commission's 1997 *Green Paper on convergence*, and more recently on the Audiovisual Media Services Directive (AVMSD), convergence produces major legal and regulatory headaches, with the need to extend content regulation to more and more platforms (see Tambini, Leonardi and Marsden 2008), and to apply it to unexpected areas and situations (Lewin 2010). The old "vertical" model of regulation (technology- and industry-specific regulation of telecommunications, based on the common carrier principle, on the one hand, and of broadcasting on the public trustee principle, on the other) is no longer tenable.

According to Latzer (2009), the policy and regulatory response to this challenge has taken the form of five lines of action:

1. "Integrated strategy – integration of political competences: all in sight" – precisely the integration of different strands of policy into a communications policy as the sum of telecommunications and media policies (van Cuilenburg and McQuail 2003) or what Latzer calls "mediamatics" policy;

2. "Integrated control structures – horizontal convergence regulators: everything under one roof" – creation of integrated/convergent regulatory authorities;

3. "Technology-neutral functional taxonomy – transmission and content regulation: don't lump everything together" – maintenance of separate regulatory regimes for telecommunications and content;

4. "Integrated legal frameworks and laws" – development of integrated statutes governing telecommunications, broadcasting and online communications;

5. "Alternative modes of regulation: from government to governance" – inclusion of stakeholders in the process of regulation, and especially self- and co-regulation.

Our discussion below will touch on some of these developments. Two main challenges had to be faced in this process: substantive (in the area of policy, law and regulation) and institutional.

To begin with substantive issues, the question of which regulatory regime to apply to which services was resolved with the decision to keep telecoms and broadcasting regulatory regimes

Table 6. Old and New Models of Regulation

Old Model	New Model
Content regulation of broadcasting	Horizontal, technologically-neutral, graduated regulation of content, involving – where needed – self- and co-regulation

Source: OFCOM (2009).

Figure 2. Graduated regulation and co- and self-regulation
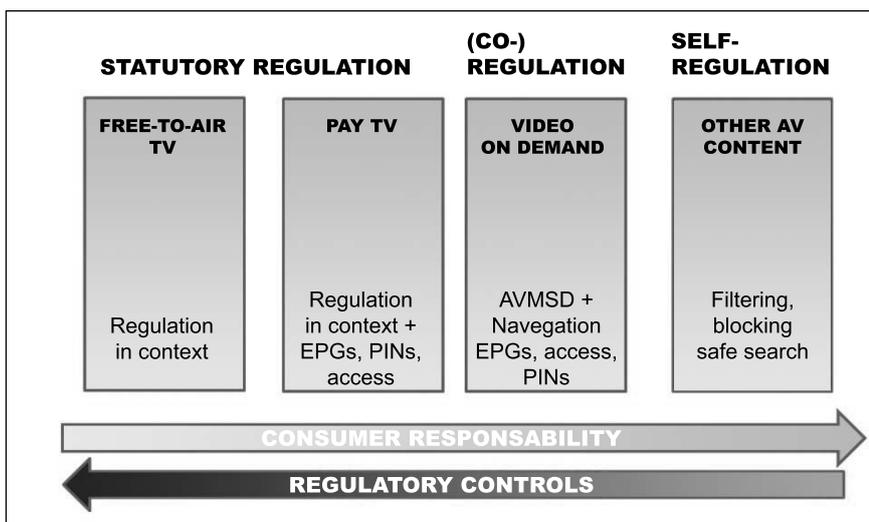
Source: Purvis (2008)

apart, as was made clear in the EU context by Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services.

Broadcasting regulation applies different structural regulatory measures to implement the policy objective of "viewpoint diversity", i.e. plurality of voices, and a number of behavioural regulatory measures to pursue such objectives as cultural diversity, programme diversity and standards (Working Party on Telecommunication and Information Services Policies 2004). However, given the diversity of platforms for content distribution (including, in the case of broadcasting, both television and "television-like" services) and their susceptibility (or otherwise) to regulation and supervision, classical forms of full broadcasting regulation cannot easily be applied to all content services. Nor, indeed, should they be, where so called "light-touch" regulation is more appropriate. Hence, the new model of content regulation (involving also the designation of co-regulatory bodies to operate in tandem with the regulator; see OFCOM 2009c), as shown in Table 6.

Figure 2 illustrates how this new model is applied in practice. This new regulatory model has been enshrined in the AVMSD. When the directive was being drafted, the assumption was that it would be good for 10 years, after which technolog-

ical and market changes may require a return to the drawing board for a new design of the regulatory architecture. In this regard, two remarks appear to be in order: (1) the directive can potentially become obsolete even earlier, and (2) the entire time when it is in force will be taken up by efforts to understand what it says and to find ways of implementing it. This has already been called a "mission impossible" due to the fact that "several controversial issues and unclear definitions will have to be tackled by regulatory authorities in their daily practice of supervision" (Betzel and Machet 2009).

European regulatory authorities have identified the following issues, among others, that need to be resolved, as shown in Table 7.

As can be seen, many of these issues are of a technical or administrative nature but some (e.g. numbers 1, 3, 5 and 6) go to the heart of the process of regulation and supervision.

As concerns the institutional challenges, the question of regulatory architecture appears crucial: should there be separate regulators for telecommunications and content services or integrated/convergent regulators? However, with the two fields integrating so much, the question became whether they can efficiently be regulated by separate regulators (see e.g. Palzer and

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Table 7. Selected issues left unresolved by the directive

Area of regulation	Questions to be answered
Monitoring	1. How to get a grip on the potentially huge number of new services that need to be examined? 2. Which aspects of the monitoring processes can be automated, for instance by the use of search bots/spiders searching the World Wide Web for audiovisual media services? 3. What kind of methodology for monitoring is needed: only action after complaint or random checks? 4. Is there a need to outsource certain aspects of the monitoring process?
Registration/ licensing	5. Which audiovisual media services need registration and which need a license? 6. What is the best way to check the place of establishment?
Cooperation	7. In what ways should regulators provide each other with assistance? 8. In what ways should the European Commission be informed?

Source: Betzel and Machet (2009).

Hilger 2001). The British government was convinced that they could not and decided to merge the existing regulatory bodies into OFCOM (see Department of Trade and Industry and Department of Culture, Media, Sport 2000: 11).

Of course, the United States and Canada have always had "integrated/convergent regulators": the FCC and the CRTC have always regulated broadcasting and telecommunications together. Over the years, in most cases quite recently, the number of such regulatory authorities has come to include AGCOM in Italy, the Office Fédéral de la Communication (OFCOM) in Switzerland; the Independent Communications Authority of South Africa; Regularna Agencjia za komunikacjie (CRA) in Bosnia and Herzegovina; the Telecommunications and Broadcasting Agency of the Republic of Slovenia; the Australian Communications and Media Authority; the Iraqi Communications and Media Commission; and the Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR), working together with KommAustria. Such authorities also operate in Hong Kong, Malaysia, Brazil, India and Ghana. At one time or another, plans to create such regulators have also been announced in Nigeria, Thailand and South Korea.

The advantages of converged regulation include: the one-stop shop approach for industry that simplifies processes and reduces bureaucracy; assumptions of improved cost-benefit ratio; of efficiency and coherence of regulatory implementation; of a better approach to alignment with the EU regulatory framework; avoidance of the duplication of activities; a better ability to approach issues of market and content regulation, together, across different platforms.

The risks and concerns associated with integrated/converged regulators include:
– They may become too powerful, when they are not independent and professional;
– Such large organisations may be less transparent;

– There may be a potential conflict between the objectives and aims of telecommunications and broadcasting, and of market and content regulation; and between different regulatory cultures;
– Non-economic goals of regulation may take a back seat to promoting competition;
– Broadcasting regulation may be dominated within the structure as telecommunications regulators are generally much larger and so is the volume of regulatory tasks related to telecommunications;
– Regulation of content becomes less central compared to the regulation of access.

The reason why we have been speaking of integrated/convergent authorities is that an integrated regulator is not necessarily a convergent one. It is easy to "integrate" regulation by bringing two separate regulators under one institutional roof, allowing them to concentrate solely on telecommunications in some departments and solely on broadcasting in others. The result is not a comprehensive approach to electronic communications as a whole, but sector-based approaches to different aspects of it in different parts of the organization.

Convergent regulatory bodies, like OFCOM in the UK or AGCOM in Italy, are designed to avoid this danger. There is no internal separation in their structure or operation between telecommunications and broadcasting. They deal comprehensively with different markets, rather than separately with each of them.

The jury is still out on whether this is the best way to deal with the institutional challenge of regulating convergent communications and television A.C. In many cases, countries with strong and well-established broadcasting regulatory bodies retain them and seek to promote not their integration but closer cooperation with telecommunications regulators.

Conclusion

Though all the technological prerequisites are already available, social and cultural factors have so far prevented the dominance of "cyber-television" or "post-television". While there has been a great deal of change in television, there is also a lot of continuity. Progress towards "transformation" is proving to be much slower than expected and may never take place fully. Much more likely is a television landscape incorporating elements from all these scenarios. What remains to be seen is the extent of each feature that typifies the different scenarios that will go into creating the real-life television and media landscape, with the proviso that these will probably change over time.

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