

Subject: **Fwd: Comments on the Consultation Paper on "Tariff Issues related to TV Services"**

To: Manoj Verma <manoj@traf.gov.in>

Cc: Shreya Jain <shreya@traf.gov.in>

Date: 03/23/16 05:14 PM

From: Group Captain Umesh Kumar <umesh@traf.gov.in>

----- Original Message -----

From: **Deeptesh Chandra** <deeptesh@mynetvision.com>

Date: Mar 23, 2016 4:33:03 PM

Subject: Comments on the Consultation Paper on "Tariff Issues related to TV Services"

To: pradvbcs@traf.gov.in, umesh@traf.gov.in

Dear Sir,

The TDSAT judgment of quashing of 27% tariff hike granted by TRAI to the Broadcasters unilaterally, arbitrarily and without any consultation with all the stakeholders, and subsequent dismissal of the stay order petition of the broadcasters challenging the TDSAT judgment by the apex court along with its observation provided a great opportunity for TRAI to come up with Consultation paper on "Tariff Issues related to TV Services". The epicenter of this consultation paper is non-discriminatory and on parity pricing of content by Broadcaster along with providing freedom and flexibility of the subscribers.

It is important to highlight the characteristic of the Cable TV industry, what it has been predominantly and how it can evolve with TRAI bringing a just and fair regulation on tariff and also enforcing its existing regulation of non-discriminatory and on parity behavior of the Broadcasters as related to content pricing, placement fees offered and conduct of technical audit.

Cable TV is one of the only affordable mode of entertainment for the masses of our nation. Cable TV is also the only medium which can enable access to affordable broadband technology for the masses. So, it is important for TRAI to preserve and protect this industry in the interest of the masses of this nation.

Historically, this industry has been monopolized and cartelized by the so called national MSOs and the pay TV broadcasters with deep pockets, driving many small and independent MSOs/LCOs out of business. The evidence and proof of the monopolization and cartelization can be discussed and taken up separately.

We request that TRAI should consider the following points while revising its Tariff order:

1. Pay TV channels should not be allowed to display any advertisement.
2. There should be strict enforcement of Parity and non-discrimination clause of the regulation in terms of the subscription fees and carriage/placement fees.
3. The tariff for the end subscriber should also be fixed and fair revenue share should be enforced for the broadcasters, MSOs and the LCOs
4. Carriage/Placement fees should be explicitly brought under regulation as it is the root cause of corruption and discourages level playing field for independent operators.
5. All the executed interconnect agreement for subscription and carriage fees between broadcasters and every MSO should be made available on the TRAI web site for ready reference for all and also to ensure transparency and enforce the non-discriminatory and on-parity clause of the regulation.
6. Enforcement of aggregator regulation as the broadcasters are still circumventing the

regulation by appointing agents and distributors who continue to bundle the channels from different broadcasters, thereby violating the aggregator clause of the regulation.
7. Cross holding restrictions should be strictly imposed in on broadcaster owned MSOs/DTH players.

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Your Attitude, not your Aptitude, will determine your Altitude - Zig Ziglar