

Dear Sir,

Here are some input to the consultation paper on "[Consultation Paper on Quality of Service issues for Cable TV Services in Non-CAS Areas and for DTH Services](#)".

Firstly, I must say that as consumer I am disappointed by the fact that the consultation paper does not aim to address some of the basic issues from consumer view point those I forwarded to you earlier (as per below e-mail thread) for DTH related to:

- o Need for TRAI to intervene and regulate tariff structure for DTH at initial stage like cellular services to enable a-la-carte and bouquet channel pricing similar to CAS and
- o Guidelines to make sure consumer can switch from one operator to another operator easily (we are struggling with number portability in cellular services as it was not conceived when it was launched by the regulator and we are trying to enforce it late – we need to make sure that mistake is not repeated for DTH).

Anyways, some of my comments on the paper are here below:

For Direct to Home Broadcasting Services:

4.1.5 Whether the DTH operators should be specifically prohibited from dropping of channels from a subscription package for a subscriber for six months from the date of enrolment of that subscriber, if the channel continues to be available on their platform.

Yes. TRAI should also ensure that if the consumer has taken a package that was valid for longer duration (say most companies now are offering Entry level package for 12 months or 18 months to attract new customers), DTH operator can not drop any channel from the list for the period. In fact dropping of channel should never be allowed except the case where the channel stopped being aired. TRAI should make sure by mandating that every broadcaster provides signal to every operator with a ceiling of individual channel price. Operators can work out better deal with broadcaster and pass on that to the consumer, but they should get the signal at least with the maximum price specified. The maximum price can be determined based on few categories like Sports, General Entertainment, News, Kids, Movie etc. TRAI should fix a maximum retail price of a channel for every such category as a-la-carte price. At no point of time a-la-carte maximum price of a channel or bouquet pricing should be more than what TRAI specified pricing for channels for CAS areas. If a channel is a mix of two or more types they should anyway have the ceiling of price same as that of a CAS area channel price (currently Rs.5.35 pm).

4.1.6 Within this period of six months, in case the channel ceases to be available on a particular DTH platform, then whether it would be appropriate to have a mechanism of reducing the subscription charges by an amount equal to the wholesale a-la-carte rate of that channel. *Alternatively*, can you suggest any other methodology for such compensation to the subscriber? Should such compensation be paid/adjusted even when one channel in a package is dropped, and it is replaced/substituted by another channel so that the total number of channels in that package is not affected?

Yes. But as said in response to 4.1.5, it should not be the case anyway.

Replacement is a bad idea. Operator can take the advantage by replacing a high-priced channel with low priced channel. Best thing is to ensure that 99.99% of the cases, this situation does not arise. If TRAI mandates that every broadcaster provides signal to every operator with a ceiling of individual channel price, Operator will always get the channel. Operators can work out better deal with broadcaster and pass on that to the consumer, but they should get the signal at least with the maximum price specified. The maximum price can be determined based on few categories like Sports, General Entertainment, News, Kids, Movie etc. Operator should clearly mention in their website a-la-carte price list of **every** channel and the **bouquets** and how long their price contract is valid with the broadcaster. This will bring some transparency to the system. It should also maintain price history of every channel placed on their website, so that consumer can look at the price of the channel (getting dropped) at the time when he signed-up for that one and he is allowed to pick another additional

channel of same price range (with additional 10-20% “inconvenience” margin) prevailed at that time. This will bring some fairness to this, if at all the case.

4.1.7 Whether the subscribers should also be required to subscribe to any channel/ package for a certain minimum subscription period as in CAS areas. If yes, what should be such minimum subscription period?

It should be 7 days. In fact, DTH operators should be encouraged to offer different price slab for different periods for individual a-la-carte channels. Say, a channel can be price Rs.2 for 7 days subscription, Rs.3 for 15 days subscription, Rs.4.5 for 30 days subscription, Rs. 10 for 3 months subscription, Rs.25 for 6 months and Rs.40 for a years subscription. TRAI should step in and ensure that broadcasters are offering their prices under similar different time periods.

For sports channels which are heavily subscribed during specific sports seasons and are lean during other period, TRAI may allow a longer lock-in of minimum 1 month subscription.

4.1.8 Whether there is any justification for visiting charges for “no signal” complaint by the subscribers? If yes, should there be a ceiling on such visiting charges for complaints of “no signal”?

Any such service should be integral part of the service charges charged by the DTH operator. See response below.

4.1.9 Similarly, should any ceiling be placed in respect of visiting charges for repair and maintenance of CPE for DTH services? Alternatively, should DTH operators be required to offer Annual Maintenance Contracts (AMCs) to their subscribers?

AMC is a good idea, but I would prefer to be included in the service charges as mandatory item. If you are buying a service, you are buying to enjoy the same. If it is not working, it *has* to be fixed so that you can enjoy the service or you should get a return the money you paid. So it should be part of the total service charges charged by the STH operator. If everybody pays for it, it becomes something like insurance premium – so the cost of maintenance is easily recoverable from that.

This brings the bigger question on what is the choice for the customer if the service quality is not upto the mark. This paper does not address this. We need an urgent consultation on that to make sure consumer can switch from one operator to another operator easily. We are struggling with number portability in cellular services as it was not conceived when it was launched by the regulator and we are trying to enforce it late. We need to make sure that mistake is not repeated for DTH. TRAI should mandate that the Set-top boxes and Dishes are portable from one operator to another operator and customer can switch from one operator to another operator with a minimum porting fee. In fact, a futuristic view will be to allow subscriber to access services from two or more DTH operators using same equipments (CPE) where ONE operator will be his PRIMARY operator who is responsible for FTA channels and all services and subscriber can access network of other DTH operators also to subscribe to some channels those are not available with his primary service provider or available at a low cost with other service provider. This will also increase total number of channels a customer is exposed to and rationalize the utilization of the bandwidths to carry channels by different operators in the long run.

4.1.10 Can you suggest some form of AMCs for DTH Service covering all aspects such as repair & maintenance charges for CPE, visiting charges, attending “no signal” complaints, etc.?

Treat it like insurance and recover premium at origin – see above.

4.1.11 Whether the service providers should be required to make available toll-free numbers for recharge calls for prepaid accounts?

Absolutely.

4.1.12 Whether the request for suspension of service for full calendar months only should be entertained?

No. It can be for any duration. DTH connections should be treated as Life-time Pre-Paid connection but without any obligation to recharge every three/six months. Once in a year may be okay. After one year, it may be two months minimum subscription as reconnection charges (with a ceiling of 2 months minimum prevailing subscription charges). Many people need to travel and keep their doors locked for months. It hurts them most as they have to pay keep the connection alive even though they do not take the service.

4.1.13 Whether tariff plan or subscription package changes requested by the DTH subscriber should be accepted and implemented immediately or from the start of next billing cycle for DTH subscriber.

Yes.

4.1.14 Whether advance notice of minimum 30 days should be given by DTH operators to a DTH subscriber before terminating his existing tariff plan provided that no tariff plan can be terminated within the contracted period, if any, for that package or within six months of enrolment of that subscriber to that package.

It should be 60 days.

Regards,
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