

Q1. Do you agree that flexibility available to broadcasters to give discount on sum of a-la-carte channels forming part of bouquets has been misused to push their channels to consumers? Please suggest remedial measures.

Ans. NTO came with the regulation where subscribers were free to choose their favourite channels on a-la-carte basis or bouquets provided by the broadcasters with ample time.

Some of the subscribers' concern was to maintain their amount of monthly bill at the same level as before and they chose bouquets more, some of them wanted to decrease their monthly bill so they chose only channels which they wanted to enjoy on a-la-carte basis. Thus I don't think the issue of misuse arise here.

The subscribers, who opted for individual a-la-carte channels are now slowly migrating to bouquets where they can get almost all the channels of different genres of a broadcaster within their budget.

Still, if such a cap on discount is to be fixed it should not be less than 50%.

Q2. Do you feel that some broadcasters by indulging in heavy discounting of bouquets by taking advantage of non- implementation of 15% cap on discount, have created a non-level field vis-a-vis other broadcaster?

Ans. Yes, they have but again that is the nature of any business. All big business houses do the same to the smaller enterprises.

Q3. Is there a need to reintroduce a cap on discount on sum of a-la-carte channels forming part of bouquets while forming bouquets by broadcasters? If so, what should be appropriate methodology to work out the permissible discount? What should be value of such discount?

Ans. Same as No. 1.

Q4. Is there a need to review the cap on discount permissible to DPOs while forming the bouquet? If so, what should be appropriate methodology to work out the permissible discount? What should be value of such discount?

Ans. I, as a LCO am not bothered by the discount enjoyed by the DPOs / MSOs because they don't share that kind of information with us nor do they pass on a part of this discount to us LCOs. But looking at the bouquets offered by the DPO/MSOs and their pricing, it is obvious that there is very good margin for the DPO/MSOs against pay channels, I don't know whether this margin comes from discount from the broadcasters or as marketing fee. I am not in the know. However, if such discount is allowed by the broadcasters to the DPO/MSOs, it is not a bad thing because it allows the DPO/MSOs to offer good bouquets in less price.

Q5. What other measures may be taken to ensure that unwanted channels are not pushed to the consumers?

Ans. I don't understand the term 'unwanted' channels. If a subscriber don't want a particular channel he/she is free to discard it and select his/her preferred channel on a-la-carte basis. If it is found that if he/she subscribes to a bouquet which includes this unwanted channel and it is still less costly for him/her, he/she can choose the bouquet and ignore the unwanted channel. Moreover, there are many so called unwanted channels in the list of FTA channels of all DPOs anyway. Some of them are in language which the subscriber don't understand, some of them show contents which are not to his/her liking etc.

Q6. Do you think the number of bouquets being offered by broadcasters and DPOs to subscribers is too large? If so, should the limit on number of bouquets be prescribed on the basis of state, region, target market?

Ans. Yes, I think that there are a large number of bouquets offered by the DPOs and it is confusing for the subscribers. Also most of the subscribers do not have the time to go through all the details of a particular bouquet because there are more than 100 channels in any given DPO bouquet. The subscribers generally enquire about the channels that they enjoy and then chose the bouquet that includes their favourite channels. I would like to see lesser no. of bouquets which are consumer friendly and affordable.

Q7. What should be the methodology to limit number of bouquets which can be offered by broadcasters and DPOs?

Ans. I think that there should be 3 types of Regional based bouquets and 3 types of National based bouquets.

Q8. Do you agree that price of individual channels in a bouquet get hedged while opting for a bouquet by subscribers? If so, what corrective measures do you suggest?

Ans. We can't assume that the subscribers are not intelligent enough to chose their bouquets and/or channels on a-la-carte basis wisely. They know the rules, all the options are laid bare before them and they make their choice. Therefore I don't think the individual channel price gets hedged in any way.

Q9. Does the ceiling of Rs 19/- on MRP of a a-la-carte channel to be part of a bouquet need to be reviewed? If so, what should be the ceiling for the same and why?

Ans. No, not to be reviewed. But I think no channel should be priced at less than Rs.3/- (Rupees Three).

Q10. How well the consumer interests have been served by the provisions in the new regime which allows the Broadcasters/Distributors to offer bouquets to the subscribers?

Ans. As I see it, the new regime has benefitted only the broadcasters in terms of revenue sharing and also with the option of offering bouquets. The DPOs were offering bouquets to the subscribers before implementation of the new regime too. So there is no change there.

Q11. How this provision has affected the ability and freedom of the subscribers to choose TV channels of their choice?

Ans. I don't think the new regime has done anything good in this regard. If a subscriber has to make an informed choice about a particular channel he/she has to see/view that channel for some time. You can't discard a food as bad or not tasty if you have not tested it at least once. Therefore, all this new regime has done is to restrict the subscribers to the channels that they are in the habit of viewing, specially if they opt for channels on a-la-carte basis.

Q12. Do you feel the provision permitting the broadcasters/Distributors to offer bouquets to subscribers be reviewed and how will that impact subscriber choice?

Ans. No I don't think so.

Q13. How whole process of selection of channels by consumers can be simplified to facilitate easy, informed choice?

Ans. All the bouquets offered by the broadcasters and their respective prices, prices of individual channels on a-la-carte basis, all details of the packs offered by the DPO/MSOs are laid bare before the subscribers. In fact, I have composed, printed and distributed a 13 page booklet containing all these information and also explaining the method of calculation of monthly bill to my subscribers. I don't see, how it can be simplified further except to say that the bouquets prepared by the broadcasters be language based, genre based etc.

Q14. Should regulatory provisions enable discount in NCF and DRP for multiple TV in a home?

Ans. I oppose any discount in NCF in multiple tv home because maintenance cost is same for every TV and also the major revenue of the LCO comprise of their share of NCF. If discount is allowed if NCF in multi TV homes, it will cast us dearly.

Q15. Is there a need to fix the cap on NCF for 2nd and subsequent TV connections in a home in multi-TV scenario? If yes, what should be the cap? Please provide your suggestions with justification.

Ans. The answer is no because as the share of NCF is the largest part of our revenue in this new regime and commission from pay channels are negligible, discounting NCF for the 2nd and subsequent TV connections will severely affect our earnings adversely.

Q16. Whether broadcasters may also be allowed to offer different MRP for a multi-home TV connection? If yes, is it technically feasible for broadcaster to identify multi TV connection home?

Ans. May be, but it would be very difficult for the broadcasters to identify multi TV connections..

Q17. Whether Distributors should be mandated to provide choice of channels for each TV separately in Multi TV connection home?

Ans. Yes.

Q18. How should a long-term subscription be defined?

Ans. Long term subscription be defined as annual subscription plan & six-month subscription plan.

Q19. Is there a need to allow DPO to offer discounts on Long term subscriptions? If yes, should it be limited to NCF only or it could be on DRP also? Should any cap be prescribed while giving discount on long term subscriptions?

Ans. No. Still if such discount is offered, let that be on their own cost. Depreciating LCO part of NCF and commission is not acceptable.

Q20. Whether Broadcasters also be allowed to offer discount on MRP for long term subscriptions?

Ans. No. Still if such discount is offered, let that be on their own cost. Depreciating LCO part of NCF and commission is not acceptable.

Q21. Is the freedom of placement of channels on EPG available to DPOs being misused to ask for placement fees? If so, how this problem can be addressed particularly by regulating placement of channels on EPG?

Ans. I don't see why it is a problem that needs to be addressed. If a broadcaster want their channels be placed in a certain way and they are ready to pay for that what can we do? This matter is between and the broadcaster and the DPO/MSO.

Q22. How the channels should be listed in the Electronic Program Guide (EPG)?

Ans Genre wise.

Q23. Whether distributors should also be permitted to offer promotional schemes on NCF, DRP of the channels and bouquet of the channels?

Ans. Strongly oppose of any promotional scheme.

Q24. In case distributors are to be permitted, what should be the maximum time period of such schemes? How much frequency should be allowed in a calendar year?

Ans. Same as No. 23.

Q25. What safeguards should be provided so that consumers are not trapped under such schemes and their interests are protected?

Ans. Same as No. 23.

Q26. Whether DPOs should be allowed to have variable NCF for different regions? How the regions should be categorized for the purpose of NCF?

Ans. No, NCF should be same in every region. Additionally, LCOs should be allowed to charge Rs.300/- annually for the services provided at the subscribers' door step.

Q27. In view of the fact that DPOs are offering more FTA channels without any additional NCF, should the limit of one hundred channels in the prescribed NCF of Rs. 130/- to be increased? If so, how many channels should be permitted in the NCF cap of Rs.130/-?

Ans. Minimum 100 SD Channels including DD 25 Channels should be provided at NCF of Rs. 130/-

Q28. Whether 25 DD mandatory channels be over and above the One hundred channels permitted in the NCF of Rs.130/-?

Ans. 25 DD channels should be mandatory within 100 FTA channels. The system of withdrawing of telecast of a particular DD channel such as DD National or DD Sports during any Live Sports event is very unfair and this system should be rectified immediately.

Q29. In case of Recommendation to be made to the MIB in this regard, what recommendations should be made for mandatory 25 channels so that purpose of the Government to ensure reachability of these channels to masses is also served without any additional burden on the consumers?

Ans. Same as above

Q30. Stakeholders may also provide their comments on any other issue relevant to the present consultation.

- I. I understand that consumer interest is of prime importance, but the last mile operator must survive too. The worst hit by the new regime is the LCOs like me. Our earning has hit rock bottom. The broadcasters earn the major share of their revenue from advertisement. They are not dependent on the revenue earned from the subscribers. Even before the implementation of the new tariff regime they were making profit and now they are making more profit. They don't share their advertisement revenue with us. Today if I sell one pay channel which is priced at Rs. 10/- I get Re. 1/- as commission. I, as a LCO, just can't motivate myself to sell more channels to the subscriber because there is little or no incentive. They can easily give us more commission for pay channels sold.

The DPO/MSOs too have their own way of making money through placement of channels, carriage fee etc. which they don't share with us.

- ii. In 2012, when CAS was to be implemented, it was decided that LCOs must get at least Rs. 77/- per Connection per month if they are to survive. I can't understand how Rs. 52/- per connection per month is considered enough for the same in 2019? On the basis of Consumer Price Index, comparison between 2012 and 2019, there should have been at least 53% increase to the amount of Rs. 77/- i.e., Rs. 118/-. Therefore, whether NCF is increased or not, LCOs must get Rs.120/- per connection per month as part of their share of NCF.

Please understand this, that the LCOs have no bargaining point regarding revenue sharing via-a-vis MSOs, if negotiation fails, the only alternative available to the LCOs is to change MSO and that means replacing all the STBs of the subscribers. Since seeding of STBs, almost all the LCOs have done that at least once at their own cost. Moreover, most of the MSO are not willing to compete with each other and they have understanding among them not to provide signals to LCOs of other MSOs. They call it TRUCE. Unless you intervene in this regard, we are nothing but puppets in their hands.

- iii. OTT/IPTV platform should be regulated through proper consultation process by TRAI. Many broadcasters have launched their own OTT platform. Some of them have tied up with other OTT platforms. The same content are being provided free of cost by them to OTT platforms whereas they are charging the announced MRP for Cable TV and DTH platform. This too is very unfair and creates a skewed playing field against the Cable TV and DTH platforms.

- iv. I, as a LCO would demand at least 60% of the total billing of a subscriber.

Want a fair system in which the end-users are satisfied, the Government gets its revenue and the LCOs can be secured in the Cable TV Industry. Cable TV has become the main entertainment of every household and we the LCOs are the main pillar of the industry. We collect subscription & tax directly from the consumers. But we have no business security. We created this 40000-core (more or less) entertainment industry. We started and ran this business without any financial support from banks or financial institutions. We employed ourselves and created jobs for lakhs of our employees. We should be treated fairly in terms of revenue sharing.

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