

**SONY NETWORKS INDIA PRIVATE LIMITED'S RESPONSE TO CONSULTATION PAPER ON  
ISSUES RELATED TO "INFRASTRUCTURE SHARING IN BROADCASTING TV  
DISTRIBUTION SECTOR" ISSUED BY TRAI ON 21.09.2016**

At the outset, we Sony Pictures Networks India Pvt. Ltd., thank the Authority for initiating the consultation process with respect to "Issues Related to Infrastructure sharing in broadcasting TV distribution sector". We welcome the Authority's initiative of the present consultation, to issue recommendations to the Government of India to formulate a policy framework for infrastructure sharing by DPOs so as to optimally utilize the infrastructure and to promote the healthy competition among service providers and, to identify the changes required in the Cable TV Act and the Rules made there under, in the license/ registration conditions of the Broadcasters/ DPOs in order to facilitate infrastructure sharing on voluntary basis.

Please find below our response to the issues raised in the present consultation paper:

**ISSUES FOR CONSULTATION:**

**Infrastructure sharing among Cable TV and HITS operators**

- (1) Is there a need to enable infrastructure sharing among MSOs and HITS operators, or among MSOs? It is important to note that no mandate for such infrastructure sharing is being proposed.**

Yes, Infrastructure sharing between HITS and MSOs, especially with respect to DAS Phase 3 and 4 areas would give required momentum to the project of digitization. This will improve Quality of Service ("QOS") and also can contain substandard technology (CAS/SMS) seeping in to the small networks. However, in order to safeguard Broadcaster's interest, we need to analyze the systems and put checks at each

level. Further, the Authority must keep in mind, the issues related to piracy, deactivation of MSO and/or HITS operator on account of default of one operator etc. The said issues need to be addressed by Authority first before giving recommendations to Ministry of Information & Broadcasting.

**(2) Which model is preferred for sharing of infrastructure among MSOs and HITS operators, or among MSOs? Kindly elucidate with justification.**

Model no 1 may work which suggests that HITS infrastructure to share with MSOs. However, this model, in the given scenario in India, will also have challenges as the control will remain with HITS operator. If HITS operator only shares his signals with MSOs and MSO has his own CA/SMS systems, then it may work. Moreover, piracy and Deactivation of boxes unless resolved, would be an issue.

**Infrastructure sharing among DTH operators**

**(3) Is there a need to enable infrastructure sharing among DTH operators?**

It may be enabled keeping in mind that Infrastructure sharing in all cases should be voluntary and with necessary check points.

**Relevant issues in sharing of infrastructure**

- (4) What specific amendments are required in the cable TV Act and the Rules made there under to enable sharing of infrastructure among MSOs themselves? Kindly elucidate with justification.**
- (5) What specific amendments are required in the MSO registration conditions and HITS licensing guidelines in order to enable sharing of infrastructure among MSOs and HITS operators? Kindly elucidate with justification.**
- (6) What specific amendments are required in the guidelines for obtaining license for providing DTH broadcasting service to enable sharing of infrastructure among DTH operators? Kindly elucidate with justification.**

- (7) Do you envisage any requirement for amendment in the policy framework for satellite communication in India to enable sharing of infrastructure among MSOs and HITS operators, and among DTH operators? If yes, then what specific amendments would be required? Kindly elucidate with justification.
- (8) Do you envisage any requirement for amendments in the NOCC guidelines and WPC license conditions relating to satellite communications to enable sharing of infrastructure among MSOs and HITS operators, and among DTH operators? If yes, then what specific amendments would be required? Kindly elucidate with justification.
- (9) Do you envisage any requirement for amendments in any other policy guidelines to enable sharing of infrastructure among MSOs and HITS operators, among MSOs, and among DTH operators? Kindly elucidate with justification.
- (10) What mechanisms could be put in place for disconnection of signals of TV channels of defaulting operator without affecting the operations of the other associated operators with that network after implementation of sharing of infrastructure among MSOs and HITS operators, among MSOs, and among DTH operators? Kindly elucidate.

There should be a clear and stringent policy in cases of disconnection of signals to a defaulting operator in sharing of infrastructure regime. This can be holding Network operator (HITS) solely responsible.

Or HITS operator should follow the instruction of content owner and De-activate the defaulter within time frame. Failure to do so, shall result in black out of signals on the entire platform.

- (11) Is there any requirement for tripartite agreement to enable sharing of infrastructure among MSOs and HITS operators, among MSOs, and among DTH operators? Kindly elucidate with justification.
- (12) What techniques could be put in place for identification of pirates after implementation of sharing of infrastructure among MSOs and HITS operators, among MSOs, and among DTH operators? Kindly elucidate.

Inserting watermarks at distribution operator level or introducing operator specific STBs with his watermarks (which should be on top layer, and should be possible to remove) is

the option. Continuous and secured Fingerprinting mechanism with CAS specific platforms can also be useful in identifying piracy(s).

- (13) Is there any need for further strengthening of anti-piracy measures already in place to enable sharing of infrastructure among MSOs and HITS operators, among MSOs, and among DTH operators? Kindly elucidate with justification.**

Complete RE-LOOK of schedule I of DAS regulation is required and seeing the evolution of technology, many more clauses would be required to be added to make it water tight.

- (14) Is there a requirement to ensure geographically targeted advertisements in the distribution networks? If yes, then what could be the possible methods for enabling geographically targeted advertisements in shared infrastructure set up?**
- (15) Whether it is possible for the network operator to run the scrolls and logo on the specific STBs population on request of either the broadcaster or the service delivery operator after implementation of sharing of infrastructure among MSOs and HITS operators, among MSOs, and among DTH operators? If yes, kindly elucidate the techniques.**
- (16) Whether implementation of infrastructure sharing affects the differentiation and personalization of the TV broadcasting services and EPG? If yes, then how those constraints can be addressed? Kindly elucidate with justification.**
- (17) Whether, in your opinion, satellite capacity is a limiting factor for sharing of infrastructure? If yes, then what could be the solutions to address the issue?**

#### **Sharing of CAS and SMS**

- (18) Is there a need to permit sharing of SMS and CAS?**
- (19) If yes, then what additional measures need to be taken to ensure that SMS data remain accessible to the tax assessment authorities and Authorized officers as defined in the Cable TV Act for the purpose of monitoring the compliance with relevant the Rules and the Regulations?**
- (20) Whether sharing of CAS can in any way compromise the requirement of encryption as envisaged in the Cable TV Act and The rules and the regulations.**

It is to be noted that in case DPOs' are allowed to utilize the single CAS and SMS, it would be in total violation of the licensing requirement as stipulated by the Ministry of Information and Broadcasting (MIB) while granting license(s) for HITS Platform as well as for MSO to operate in DAS notified areas. Hence the Authority should also look into that.

**(21) In addition to the issues mentioned above, comments of stakeholders is also invited on any other issue relevant to the present consultation paper.**

We reserve our right to furnish any othersupplement response or counter comments to the present Consultation paper at a later date.