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From:  
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## Comments on Issues for Consultation-DAS

### Chapter-I

#### Basic Service Tier for the Digital Addressable Cable TV Systems

1. What should be the minimum number of free-to-air (FTA) channels that a cable operator should offer in the basic-service-tier (BST)? Should this number be different for different states, cities, towns or areas of the country? If so, what should be the number and criteria for determination of the same?

Comment:-

- Let LCO Decide according to locality.

2. In the composition of BST, what should be the genre-wise (entertainment, information, education etc.)mix of channels? Should the mix of channels and/or the composition of BST be different for different states, cities, towns? If so, how should it be?

Comment:-

- LCO is best to decide the composition of channels in basic tier. There is diversity of languages and preferences all over India. Operator best knows the taste and preferences of the customers.
- In case, MSO is there then both of them together can decide basic tier. MSO also should not indulge in monopoly or unilateral decisions.

3. What should be the price of BST? Should this price be different for different states, cities, towns or areas of the country? If so, what should be the price and criteria for determination of the same?

Comment:-

(a) BST should be fixed by TRAI. Since there is no level field. MRP should be fixed by TRAI. MSO/LCO, keeping the profit margin and sell it to consumers.

- Rates should be determined seeing the advertisement on the channel and other source of income of the channel.

- BST should be set seeing the "Economic Condition" of the city, town or area of country.

(b) There is vertical monopoly of 4 major broadcasters and their aggregator. (These broadcasters are MSO & DTH players also)

4. What should be a-la-carte rate of channels that form part of BST? Should there be a linkage between a-la-carte rate of channels in the BST to the BST price or average price of a channel in the BST? If so, what should be the linkage and why?

**Comment:-**

- BST should be affordable to common man.
- No linkage between BST & A-la-carte.

**Retail Tariff for the Digital Addressable Cable TV Systems**

5. Should the retail tariff be determined by TRAI or left to the market forces? If it is to be determined by TRAI, how should it be determined?

**Comment:-**

- i) BST → Rs. 82/- + Tax (Inflation).
- ii) Pay Channel Tier → CAS proven Rs. 5.35/-.
- iii) HD Channels Tier → Can be priced Rs. 5.35/- + 10% ( around Rs. 6/-).
- iv) Premium Channels → Ad free channel can be market driven.
- v) Niche Channels → Market driven.

a) Should the a-la-carte channel price at the retail be linked to its wholesale price? If yes, what should be the relation between the two prices and the rationale for the same?

**Comments:-**

- A-la-carte price should not 10% more than wholesale price.
- Wholesale price should be fixed by TRAI.

b) Should there be a common ceiling across all genres for the pay channels or different ceilings for different genres? What should be the ceilings in each case and the reasons thereof?

**Comment:-**

- Only two genres. (News & Non-News)

c) Should there be a common ceiling across all genres for the FTA channels or different ceilings for different genres? What should be the ceilings in each case and the reasons thereof?

Comment:-

- DD channels are FTA and carried mandatory without ant price.
- FTA channels should never be priced.

d) Any other method you may like to suggest?

Comment:-

- Sharing of sports channels matches in different channels.(ESPN,Ten Sports,Neo Sports,Zee Sports,Star Sports)
- Extracting money from subscribers may be difficult.

Chapter-III

**Interconnection in the Digital Addressable Cable TV Systems**

6. Does any of the existing clauses of the Interconnection Regulations require modifications? If so, please mention the same with appropriate reasoning?

Comments:-

Proper interconnection agreement should be made by TRAI.

Broadcasters	→	MSO
MSO	→	LCO
LCO	→	Subscribers

**Disconnection by broadcasters:** - Since broadcasters are MSO and DTH players and having direct points, they do disconnection of rival Cable Operator/MSO on frivolous ground. If these distributor is operator also he uses this tool to create monopoly.

Various complaints have come into light that broadcasters are making MSO as there distributors. These MSO's to capture the

ground make frivolous cases of piracy against MSOI/LCO. MSO divide area to create monopoly.

**7. Should the subscription revenue share between the MSO and LCO be determined by TRAI or should it be left to the negotiations between the two?**

**Comment:-**

- No, Revenue should be decided by TRAI.
- MSO are partners of broadcasters and DTH companies.
- They use arm-twisting tactics to capture ground.
- They will hence be fair to LCO.

**8. If it is to be prescribed by TRAI what should be the revenue share? Should it be same for BST and rest of the offerings?**

**Comment:-**

Broadcasters -20%, MSO -20% and LCO -60%.

Broadcasters will get full subscribers after DAS. So, he should get less margin because he also earns from advertisement and SMS.

**9. Should the 'must carry' provision be mandated for the MSOs, operating in the DAS areas?**

**Comment:-**

- No, Only DD channels.
- Cost of equipments to add channels will increase.
- This will increase cost of Consumer.

**10. In case the 'must carry' is mandated, what qualifying conditions should be attached when a broadcaster seeks access to the MSO network under the provision of 'must carry'?**

**Comment:-**

- Only for DD Channels.

11. In case the 'must carry' is mandated, what should be the manner in which an MSO should offer access of its network, for the carriage of TV channel, on nondiscriminatory terms to the broadcasters?

Comment:-

- Carriage and placement should be shared by LCO's.

12. Should the carriage fee be regulated for the digital addressable cable TV systems in India? If yes, how should it be regulated?

Comment:-

- Carriage of video channels of MSO should be given to LCO.
- Advertisement of video channels should be shared with LCO.

13. Should the quantum of carriage fee be linked to some parameters? If so what are these parameters and how can they be linked to the carriage fee?

Comment:

- Size of the network, locality.
- Carriage of video channels of MSO should be shared with LCO.

14. Can a cap be placed on the quantum of carriage fee? If so, how should the cap be fixed?

Comment:-

- LCO should get of carriage of video channels and advertisement share also.
- Amount depends on size and place of network.
- State of household, so it can't be quantity. It has to be negotiated.

15. Should TRAI prescribe a standard interconnection agreement between service providers on similar lines as that for notified CAS areas with conditions as applicable for DAS areas? If yes, why?

Comment:-

Yes, TRAI should make standard for all stake holders, Broadcasters, MSO, LCO, Consumers.

Broadcasters, MSO should agreement in given period to the weaker party (LCO).

**Note:** - There should also a "Service Level Agreement (SLA)" among all stake holders.

LCO should have feed from two or more MSOs to give competitive choice to consumers.

#### *Chapter-IV*

#### *Quality of Service Standards for the Digital Addressable Cable TV System*

**16. Do you agree with the norms proposed for the Quality of Service and redressal of consumer grievances for the digital addressable cable TV systems? In case of disagreement, please give your proposed norms along with detailed justifications.**

#### **Comment:-**

- Redressal for consumers should be there.
- It should for all stake holders in value chain.
- Service level Agreement (SLA) should be there for service providers and service receivers.
- SLA should be for all stake holders.
- Broadcasters should also take consumer complaints. No, Website or E-mail complaints.

**Note:** - In this issue TRAI has no mentioned quality of service of broadcasters.

**17. Please specify any other norms/parameters you may like to add with the requisite justifications and proposed benchmarks.**

#### **Comment:-**

- Benchmarks should be discussed separately.
- Audio, Video quality should be good.
- Broadcaster should give professional IRDs.
- Broadcasters should give tall strength signals.

**18. Who should (MSO/LCO) be responsible for ensuring the standards of quality of service provided to the consumers with respect to connection, disconnection, transfer, shifting,**

**handling of complaints relating to no signal, set top box, billing etc. and redressal of consumer grievances?**

**Comment:-**

- LCO has been already doing above mentioned jobs successfully to many years. Giving 24X7 services.
- Broadcasters and MSO's should maintain QoS.

**19. Whether Billing to the subscribers should be done by LCO or should it be done by MSO? In either case, please elaborate how system would work.**

**Comment:-**

- Billing should be done by LCO as he has been doing this work already for last 25 years successfully.
- MSO to provide details of itemized billing according to STB ID to the LCO.
- LCO to be given at least 30 days to collect subscriptions from consumers. He will give the collection by 10<sup>th</sup> of the next month.
- LCO gives service to consumers, take choice. Upgrade and service the network.

**20. Should pre-paid billing option be introduced in Digital Addressable Cable TV systems?**

**Comment:-**

- NO, not for the time.
- As lot of problems already their in prepaid mobile, DTH billing.
- No record of prepaid billing.
- It can be discussed later, when above mentioned problems sorted out.

### **Miscellaneous Issues**

#### **Broadcasting of Advertisement free (ad-free) channels**

**21. Whether an ad-free channel is viable in the context of Indian television market?**

Comment:-

Yes, it is.

22. Should there be a separate prescription in respect of tariff for ad-free channels at both the wholesale and retail level?

Comment:-

- Yes, because it come under premium channel.
- Since, in DAS. Total transparency of subscribers will be there, wholesale price should be lesser.

23. What should be the provisions in the interconnection regulations in respect of ad free channels?

Comment:-

Same as for channels with ads.

24. What should be the revenue sharing arrangement between the broadcasters and distributors in respect of ad-free channels?

Comment:-

**Non addressable digital Set top boxes**

- Basic tiers should not go through addressable box. It may be digital.

25. In case you have any view or comment on the non-addressable STBs, you may please provide the same with details.

Comment:-

**Reference point for wholesale price post DAS implementation**

26. Would there be an impact on the wholesale channel rates after the sunset date i.e. 31st Dec 2014, when the non-addressable systems would cease to exist? If so, what would be the impact?

Comment:-

- Broadcasters with DAS will have total transparency and declaration.
- Wholesale prices should be as lower as possible for consumer interest.

**27. Any other relevant issue that you may like to raise or comment upon.**

**Comment:-**

Local channels of cable operator carrying locality programs should be encouraged.

27.1

DAS date should be extended upto 31 December 2012 because of non availability of STBs, Licensing conditions not clear and non-availability of trained manpower. BST of analog should continue till Dec 2014 so that no one is deprived of cable service due to setting up problems in the buildup time and there is no black out.

27.2

Extra points

1. No MDU in DTH
2. Registration of DAS Operator not clear.
3. Content availability by broadcaster on easy and simple terms.
4. FDI of Cable Operators not more than 49%
5. Non availability of HITS
6. Model Agreement for all stake holders by TRAI.
7. Cable Operators services should be declared essential services.
8. Spectrum Policy not clear.
9. Time Limit for Long Advertisement on Channels.
10. Regulation of irritating ads and tickers on TV screen
11. BECIL certification worthless, as you don't get content.
12. Future of FTA Operator not clear.

13. Carriage and placement share of LCO on Video Channel.
14. Advertisement Share of Video Channel by Cable Operators.
15. MSO Monopoly since they are partners of Broadcasters, DTH and channel aggregator.
16. Cable Operators should have more than two MSO feed to give better choice to consumers.
17. Quality of service for broadcaster.
18. Consumption of Electricity in STBs.
19. Interoperability of STBs. Allow STBs with CAM and CI
20. Consent of State Governments
21. Subsidy to the poor people for STBs by the Government.
22. Implementation of DAS in State Government run Cable Networks like ARASU in Tamil Nadu.
23. Provision of Broadband for Cable Operators by Telcos/ISPs.

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