

**COMMENTS ON THE TELECOMMUNICATION (BROADCASTING AND CABLE SERVICES) INTERCONNECTION (DIGITAL ADDRESSABLE CABLE TELEVISION SYSTEMS) (SECOND AMENDMENT) REGULATIONS, 2013.**

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**A. “Carriage Fee”**

. The issue is that whether the following proviso should be introduced in the clause 3(2) of the interconnection regulations for DAS and the existing clause 3(5) of interconnection Regulation for DAS should be deleted:

*“Provided that the provisions of this sub-regulation shall not apply in the case of a multi-system operator, who seeks signals of a particular TV channel from a broadcaster, while at the same time demanding carriage fee for carrying that channel on its distribution platform.”*

The Authority is of the view that the proposed proviso shall be included in the clause 3(2) and clause 3(5) shall be deleted.

*This provision needs tremendous empathetical analysis. Virtually all Head End Service Providers (MSO) in DAS file a written request for PAY TV Content. Hence by this argument all PAY TV programs are demanded by the service providers and therefore no carriage fee will be chargeable. Hence either carriage fee should be banned or left to market forces.*

**B “Channel carrying capacity for MSOs”**

. The issue is that whether there is a need to specify certain minimum channel carrying capacity for the MSOs in the interconnection regulations for DAS and if so what should be the different categories (example cities/town/rural area) of areas for which minimum channel carrying capacity should be prescribed and what should be the capacity for each category.

*This issue needs better understanding of technical connotation of channel and program. In 47 to 862 MHz spectrum in use in Cable TV networking, channel connotes a spectrum width 7 MHz wide from 47-300 MHz or 8 MHz wide from 301 to 862 MHz comprising of 106 channels. In DAS a number of programs (being referred in this consultation paper) are digitized and compressed from popular 1:10 to 1:22. Thus if we consider MPEG2 domain with consumer grade multiplexers with compression ratio of 1:10. Then Program capacity in 106 channels would work out to 1060. With 1:22 compression in MPEG-4 multiplexers of semi-professional grade the program capacity would work out 2332 programs over 106 channels.*

*Further program delivery is NOT only dependent upon Headend. The amplifiers in LCO domain may NOT handle 47-862 MHz. Many last mile networks are only 47-550 MHz making 60 channels. Such networks would only pass through 600 or 1320 programs, depending upon compression at the headend in ratio 1:10 or 1:22. It is therefore felt that there is no need to specify minimum number of programs for the Headend. However if it is a must then 40 channels*

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*for PAY TV and 20 Channels for FTA may be provisioned, keeping in view the last mile conditions.*

**C. “Placement Fee”**

. The issue is that whether there is a need for regulating the placement fee in all the Digital Addressable Systems. If so, how it should be regulated.

Although in the interconnection regulations for Digital Addressable Systems, other than DAS, there is no specific provision barring charging of the placement fee, but the logic, regarding charging of placement fee, applies equally to all Digital Addressable Systems. The Interconnection Regulation already has a provision (clause 3 (11)) that if an MSO, before providing access to its network, insists on placement of the channel in a particular slot or bouquet, such precondition amounts to imposition of unreasonable terms. Thus adequate provisions already exist in the regulations.

*Placement fee is different from carriage fee. In practice it is the Broadcaster who demands placement in a particular channel. There are known cases where broadcaster demand placement of their program in an easy to remember fancy slot No, say 555 or 777 on the EPG. Such requests will invariably result in charges for particular placements. In 101 to 999 numbers in the Program Allocation Table (PAT) a broadcaster.*