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By Email

30th July, 2015

Mr. Wasi Ahmad
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SO-I/SO-II (B&Cs)

Sub.: Comments on Consultation Paper No. 3/2015 on Tariff Issues relating to Commercial subscribers

Dear Sir,

We take this opportunity to thank this Hon'ble Authority for issuing the Consultation papers on Tariff issues relating to Commercial Subscribers.

In response to Consultation papers, we hereby share our comments, for the perusal of this Hon'ble Authority:

1. Is there a need to define and differentiate between domestic subscribers and Commercial subscribers for provision of TV signals?

We are of the view that Commercial subscribers should be defined as any subscriber, other than DPOs, who subscribes the channels at a place, indicated by him/her, for the benefit of his/her clients or persons having access to such place.

2. In case such a classification of TV subscribers is needed, what should be the basis or criterion amongst either from below or otherwise? Please give detailed justification in support of your comments.

Please refer our previous comment.

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3. Is there a need to review the existing tariff framework (both at wholesale and retail levels) to cater for commercial subscribers for TV services provided through addressable systems and non-addressable systems?

We are of the view that the commercial subscribers should not be subject to any regulatory regime and be brought under the forbearance category. Market forces will determine the tariffs for the commercial subscribers irrespective of their location in Addressable or non-addressable systems.



4. Is there is a need to have a different tariff framework for commercial subscribes (both at wholesale and retail level)? In case the answer to this question is in the positive, what should be the suggested tariff framework for commercial subscribes (both at wholesale and retail levels)? Please provide the rationale and justification with your reply.

Broadcaster(s) to deal with Commercial subscriber(s) on negotiating deals and execute agreements. Tariff for commercial subscribers to kept under total forbearance and let market forces play its part. However, the signals to the Commercial subscribers may be provided to them through authorized DPOs.

5. Is the present framework adequate to ensure transparency and accountability in the value chain to effectively minimise disputes and conflicts among stakeholders?

We are of the view that once the commercial subscribers are brought under forbearance category, the market forces will play its part which would in turn effectively minimize disputes and conflicts among stake holders.

6. In case you perceive the present framework to be inadequate, what should be the practical and implementable mechanism so as to ensure transparency and accountability in the value chain?

Commercial subscribers to be taken out from the tariff protection and should be under forbearance framework.

7. Is there a need to enable engagement of broadcasters in the determination of retail tariffs for commercial subscribers on a case to case basis?

Broadcaster(s) to deal with Commercial subscriber(s) on negotiating deals and execute agreements, however, the feed could be provided to Commercial subscribers through authorized DPOs. Broadcasters and authorized DPOs may agree on a consideration mutually.

8. How can it be ensured that TV signal feed is not misused for commercial purposes wherein the signal has been provided for non-commercial purpose?

We are of the view there are sufficient anti piracy policies to check this.

9. Any other suggestion which you feel is relevant in the matter. Please provide your comments with full justification.

Forbearance framework should be the way forward. All Commercial subscribers who wish to seek signals may negotiate with Broadcaster(s) and agree on a price. Needless to add here that commercial subscribers do stand to benefit from the signals provided to them which are being utilized for the benefits of their clients.



Motivation	Reg. of Voice	Research Questions	Research Methods	Results	Conclusions etc.
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Three Research Questions We Started With...

1. Can the regulatory structure designed in an integral age—in its objectives, obligations, and enforcement mechanisms—work for a modular age?
2. How can regulators and managers improve decision making amidst the disruption of an integrated technology and industry by a modular one?

Answers and the analysis behind it...

3. What is the role of the telecommunications regulator in the modular age of the Internet, and how can they fulfill it?
 - 3a. What is the regulator's new role in the modular age?
 - 3b. Can existing policies fulfill it?
 - 3c. Are there unexplored policies that fulfill it?

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If this Hon'ble Authority requires any further clarifications in this regard, we shall be glad to assist.

Thanking you,

For 9X Media Private Limited

N. Sharma
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Senior Vice President - Distribution

