

Bharti Telemedia Ltd.

Airtel Center, Plot No. 16,
Udyog Vihar, Phase - IV,
Gurugram - 122 015
Haryana, India

www.airtel.in
call+91 124 4222222
fax +91 124 4243252

dth services



TRAI/FY24-25/039

Dated: 06.09.2024

To,

Shri Deepak Sharma,
Advisor (B&CS) - II
Telecom Regulatory Authority of India,
Mahanagar Doorsanchar Bhawan,
Jawahar Lal Nehru Marg,
New Delhi-110002

Subject: Response to Consultation on 'Audit related provisions of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 and the Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual'

Dear Sir,

This is with reference to TRAI's Consultation on '**Audit related provisions of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 and the Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual'**.

In this regard, please find enclosed our response for your kind consideration.

Thanking You,

Yours' Sincerely,
For Bharti Telemedia Limited

A handwritten signature in blue ink, appearing to read 'Rahul Vatts', is written over a faint circular stamp.

Rahul Vatts
Chief Regulatory Officer

Encl: a.a

Copy to:

1. Chairman, TRAI
2. Secretary, TRAI
3. Principal Advisor (B&CS), TRAI

Bharti Telemedia Limited's response

TRAI Consultation Paper on Audit related provisions of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 and The Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual

Executive Summary:

Bharti Telemedia Limited would like to begin by thanking the Authority for issuing the consultation paper, *Audit related provisions of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 and The Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual*, and is happy to provide its perspective on the topic.

The Telecom Regulatory Authority of India (TRAI) had introduced a **comprehensive regulatory framework for Digital Addressable Systems (DAS)** on March 3, 2017, to enhance the television broadcasting sector. This framework included three key regulations: **Interconnection Regulation, Tariff Regulation and Quality of Service Regulation**. Additionally, TRAI issued the Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual [hereinafter referred as the '**Audit Manual**'] on November 8, 2019, to ensure compliance and accuracy in reporting.

Regulation 15(1) of the Interconnection Regulation 2017 mandates an **annual audit of Distribution Platform Operators' (DPOs) Addressable Systems** by TRAI-empaneled auditors for maintaining compliance and accuracy in reporting. Under the present regulation, audits can be caused by two means i.e., an annual audit by DPOs [Regulation 15(1)], or alternatively, by the broadcasters if they are not satisfied with the audit reports [Regulation 15(2)].

In our opinion, there is no rationale for giving two options for audits. They only add cost to compliance and allow broadcasters to seek additional audits over and above the regulator's own defined audit process. **Note that DPOs are regulated under the TRAI Act and comply with its audit requirements in accordance with the regulations issued by the TRAI from time to time**, and there is no justification to give a similar parallel power to broadcasters who are an equal partner in the business value chain.

Given this context, we believe that **while as a good practice to encourage ease of doing business (EoDB), the approach of self-certification should be sufficient, only the TRAI's annual audit [Regulation 15 (1)] should be retained rather than the broadcaster-driven audit [Regulation 15 (2)]**. The outcome of EoDB can be achieved by simplifying certain procedures under the current audit process. The prescription of the annual audit mandate can then help in avoiding multiple broadcaster-driven audits.

With this intent **to reduce administrative burdens and enhance efficiency** under the current audit process, we have proposed certain modifications to Regulation 15(1) by way of removing obsolete

provisions, addressing duplication in reporting, and providing exemptions or grace periods during the initial phase of new services. Additionally, **broadcasters should be restricted from challenging completed audits by TRAI empaneled auditors** without valid justification and further, ensuring that disputes are resolved without disrupting services. This will help hone the process and avoid multiple audits. The requirement for a pre-signal audit for new systems should also be eliminated to further streamline the process.

To ease the cost of compliance, it is recommended that **financial disincentives for non-compliance should not be increased**. To support the growth of the sector, given that any change in RIO with respect to pricing of channels by broadcasters affects the whole ecosystem including DPOs and their customers, TRAI should fix a minimum validity period for the agreement between a DPO and Broadcaster and discourage broadcasters from making frequent changes.

It should also ensure that all DPOs, including smaller operators, are subject to audit requirements. This will help **maintain a level playing field and ensure compliance** across the industry. Measures to simplify audit processes, reduce frequency of audits, subsidise audit costs, and standardise templates can help reduce the compliance burden on DPOs.

Aligning the audit period with the financial year, rather than the calendar year will also enhance consistency with other financial reporting and compliance requirements. **Providing a grace period for compliance** can further ensure an efficient regulatory framework.

The audit manual requires significant modifications which we have pinpointed in detail in our response. Audit processes for IRDs and VCs deployed by the DPOs should be carried out on a sampling basis so that the audit may be completed within a reasonable amount of time. Data extraction can be performed by the DPO in front of the auditor in case there are any doubts regarding CAS and SMS systems since IP credentials, system IDs and passwords cannot be shared with any external teams. Fingerprinting should be allowed to be triggered either from CAS or from SMS.

With the innovations and advancement of technology, it is no longer possible to maintain a product life cycle for several years. Therefore, **simulations tests on STBs should be carried out only on those STB models that have been deployed and activated by the DPO in the previous two years**. Similarly, compliance certificates, including BIS certificates, should be made mandatory by the DPO for each make and model of STB and be applicable for STBs procured in the last two years.

Presently, **infrastructure sharing** is not allowed between DTH and IPTV. We recommend that a holistic method for infrastructure sharing that extends beyond cable and broadband services, i.e., infrastructure sharing across all DPO platforms like HITs with DTH, DTH with IPTV should be prescribed. Infrastructure sharing could be treated as pass through charges between the DPOs. Further, **a single auditor should be permitted to conduct audits for all DPOs and their lines of service** — DTH, HITs, IPTV, etc.

We also recommend that the **specification of logos should not be regulated** considering the complexity in implementing at the STB end for achieving the required development.

While **it is our contention that broadcaster-caused audits / challenges to audits should be done away with, given TRAI's annual audit requirement**, if this provision is to be retained, then only a very limited scope should be permitted, that too only if justified and deemed necessary by the regulator when broadcaster queries are not addressed by the DPO. Additionally, **broadcasters should not be allowed to ask for a complete technical audit of all the DPOs**, including an audit of the shared infrastructure, as a precondition for the broadcaster to provide the signals of television channels. Broadcasters should also not be allowed to simultaneously audit (broadcaster-caused audit) all the DPOs sharing the CAS/DRM/SMS.

Additionally, while TRAI has raised some very pertinent questions and we have attempted to answer them exhaustively, **it is our view and submission that the Authority also needs to consider certain critical aspects when framing its recommendations. They are listed over the remaining course of this document.**

In summary:

As a general principle, self-certification of DAS requirements should be enough. However, for the purpose of ease of doing business and in order to avoid the multiplicity of broadcaster-driven audits, the provision of an annual audit of the DPOs' Addressable Systems as laid out in Regulation 15(1) is crucial and should be retained.

The Regulation 15(2) of broadcaster-caused audits should be abolished as it adds compliance complexity as well as gives unnecessary powers to broadcasters in the broadcasting value chain.

The process of audits can be further simplified in the following manner:

Mandatory audit of DAS by DPOs -

1. **The audit process should be simplified** by instituting the following enabling provisions:
 - a. Remove obsolete and redundant provisions in **Schedule III** [requirements of digital addressable systems] **and Schedule IX** [testing and certification regime for Conditional Access Systems (CAS) & Subscriber Management Systems (SMS)].
 - b. Review duplication in the overall reporting system, i.e., the reporting done to MIB / TRAI in various formats leads to an overlap.
 - c. Provide exemption/grace period / error margin in initial phases of new service.
 - d. Modify audit frequency to 'once in two financial years' to reduce compliance burden.
2. To uphold the spirit of **avoiding multiple audits**, if DPO has completed annual audit by empanelled auditor:
 - a. Broadcaster-caused audit should be abolished. If still the provision has to be retained, broadcasters should be restricted when it comes to making challenges to the audit. They should only be allowed to do so if they have valid justification and reasons that are duly substantiated with data.
 - b. Broadcaster should not be allowed to deny/disrupt signals. Any disputes/challenges should be addressed through legal route.
3. Pre-signal audits for new system should not be required. The provision should be removed.
4. Financial disincentives for non-compliance should not be increased.
5. A minimum validity period for the agreement between a DPO and Broadcaster should be fixed and the broadcasters should be discouraged from making frequent changes.
6. There is a need to increase the TRAI empaneled auditors to ease the process of audit.
7. All DPOs, including small DPOs, must cause audit of their systems.

Scheduling of audit –

1. Existing provision of ‘calendar year’ should be discontinued and ‘financial year’ should be specified.
2. Ideal timeline should be annual audit within nine months of the end of previous financial year (FY), i.e. annual audit to be done by December of the current FY.
3. In case the DPO does not carry out an audit of its system in the specified time period (i.e. by December of the current FY), a grace period of three months should be provided (i.e. by March of the current FY). After this time period, the broadcaster may suo-moto initiate an audit of the DPO’s systems within a six-month period, after which no audit should be allowed to be triggered.
4. In case the broadcaster receives an audit report from DPO, the fixed time period within which the broadcaster can raise queries should be within a month of receipt of the audit report.

Amendments to Audit Manual –

1. Audit processes for IRDs and VCs deployed by the DPOs should be carried out on sampling basis so that the audit may be completed within a reasonable timeframe.
2. Simulations tests on STBs should be carried out on those STB models that have been deployed and activated by the DPO in previous two years.
3. Data extraction should be performed by DPO in front of the auditor in case of any doubts regarding the CAS and SMS systems since IP credentials and system ID and passwords cannot be shared with any external teams.
4. Fingerprinting should be allowed to be triggered either from the CAS or from the SMS.
5. Requirement of providing compliance certificates, including a BIS certificate, by the DPO for each make and model of STB should be applicable for STBs procured in the previous two years.

Issues related to infrastructure sharing –

1. Presently, infrastructure sharing is not allowed between DTH and IPTV. A holistic method for infrastructure sharing that extend beyond cable and broadband services allowing **sharing across all DPO platforms** like HITs with DTH, DTH with IPTV should be instituted.
2. Specification of logos should not be regulated considering the complexity involved with implementation.
3. Broadcaster should not be allowed to ask for a complete technical audit of all the DPOs as part of the precondition for the broadcaster to provide the signals of television channels.
4. Broadcaster should not be allowed to simultaneously audit all the DPOs sharing the CAS/DRM/SMS.
5. Although the guidelines allow for voluntary sharing of infrastructure, this may be **treated as pass through charges** between the DPOs.
6. **A single auditor** should be permitted to conduct audits for DPOs and their all lines of services.

With this background, we provide our response to the questions raised by TRAI in the consultation paper.

Mandatory audit of DAS by DPOs

1. Should provision of Regulation 15(1) be retained or should it be removed in the Interconnection Regulation 2017?
 - i) In case you are of the opinion that provisions of Regulation 15(1) should be retained then
 - a. Should it continue in its present form or do they need any modifications?
 - b. In case you are of the opinion that modifications are required in Regulation 15(1) of the Interconnection Regulation 2017, then please suggest amended regulations along with detailed justification for the same.
 - ii) In case it is decided that provisions of Regulation 15(1) should be removed then what mechanism should be adopted to ensure that the monthly subscription reports made available by the distributors to the broadcasters are complete, true and correct?

Response:

As a brief regulatory background, to enable the television broadcasting sector to realise the gains of digitisation, TRAI brought a comprehensive regulatory framework for Digital Addressable Systems (DAS) on 3 Mar'17, consisting of:

- **Interconnection Regulation:** Covers commercial and technical arrangements among service providers for interconnection for broadcasting services relating to Television.
- **Tariff Regulation:** Allows consumers to select TV channels on an à la carte basis or through bouquets, giving them more control over their subscriptions.
- **Quality of Service Regulation:** Standards for the quality of service set for both broadcasting and cable services, ensuring that consumers receive reliable and high-quality service.

TRAI had then issued the Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual [hereinafter called *Audit Manual*] on 8th November 2019.

Regulation 15(1) of the Interconnection Regulation 2017 mandates an **annual audit of the Distribution Platform Operators' (DPOs) Addressable Systems** by TRAI-empaneled auditors once in a calendar year to ensure compliance and accuracy in reporting.

Regulation 15(2) of the Interconnection Regulation 2017 gives an **additional option and power to broadcasters to challenge audits if they are not satisfied with the findings of the TRAI mandated audit.**

The above clause indicates that under the present regulation, audits can be caused by two means i.e. an annual audit by DPOs [Regulation 15(1)], or by Broadcasters if they are not satisfied with the audit reports [Regulation 15(2)].

Giving a second option that allows broadcasters to challenge audits [Regulation 15(2)] is unnecessary, adds cost to compliance, and gives a higher pedestal to broadcasters allowing them to seek as it does an additional audit over and above the Regulator's own defined audit process.

Given this context, we believe that while as a good practice to encourage ease of doing business (EoDB), the approach of self-certification should be sufficient, only the TRAI's annual audit should be retained. The outcome of EoDB can be achieved by simplifying certain procedures under the current audit process. The prescription of the annual audit mandate can then help in avoiding multiple broadcaster-driven audits.

Further, to avoid the multiplicity of broadcaster-driven audits, the provision of an annual audit mandate as stated in Regulation 15(1) becomes crucial. The current form of Regulation 15(1) can be improvised to reduce the administrative burden and enhance efficiency.

Bharti Telemedia Limited suggest the following modifications to Regulation 15(1) of the Interconnection Regulation 2017:

1. Simplifying the Audit Process:

- a. **Reduction in audit frequency** – Audit frequency must be modified to 'once in two financial years' to reduce the compliance burden.
- b. **Removal of obsolete provisions:** Outdated and redundant provisions in Schedule III (requirements of Digital Addressable Systems) and Schedule IX [Testing and Certification regime for Conditional Access Systems (CAS) & Subscriber Management Systems (SMS)] should be eliminated.
- c. **Review duplication in reporting:** Address the overlap in reporting to the Ministry of Information and Broadcasting (MIB) and TRAI, streamlining the process to avoid redundancy.
- d. **Exemptions/Grace Period:** Provide exemptions, grace periods, or error margins during the initial phase of new services to accommodate the setup and stabilisation period.

2. Avoiding Multiple Audits:

- a. At the outset, Bharti Telemedia Limited would like to submit that **giving a second option to broadcasters to challenge audits [Regulation 15(2)] is unnecessary**, adds cost to compliance, and gives a higher pedestal to broadcasters allowing them as it does to seek an additional audit over and above the Regulator's own defined audit process.
- b. This is surprising since DPOs are regulated under the TRAI Act and comply with its audit requirements in accordance with the regulations issued by the TRAI from time to time. There is no justification to give a similar parallel power to broadcasters who are an equal partner in the business value chain.
- c. It is our recommendation that the **Regulation 15(2) of the challenge audit should be removed.**

However, in case the Authority believes that such a provision should be retained, then even in such a case, there remain concerns with the challenging of audits, which should be addressed. They are elaborated below.

- i. **Restricting Challenges by Broadcasters:**
 - If a DPO has completed an annual audit by TRAI empaneled auditor, broadcasters should be **restricted from challenging the audit without valid justification and substantiated data**. In case a challenge audit is requested by a broadcaster, all necessary measures should be taken, including seeking TS recording and ground sample information from IBF / NBA to ascertain the validity of the claim so that unnecessary audit can be avoided.
 - Currently the clause relating to the trigger of an audit by a broadcaster is open ended. This should be modified so that the audit can be triggered by the broadcaster only if the difference in the subscriber count is more than 2%. In any case in no scenario, **should this lead to any disruption of service**.
 - **Broadcasters with a subscriber base of less than 10% of the total base of DPO, should not be given the option to trigger an audit of DPOs** (considering the total base of DPOs).
 - ii. **Resolving Disputes: Broadcasters should not be allowed to deny or disrupt signals.** Any disputes/challenges can and should be addressed through other mechanisms including the legal route.
 - iii. Further, if there is delay in the audit and the same is intimated to TRAI by the broadcaster and is duly acknowledged, then this should not result in any disruption of service.
3. **Removing the Pre-Signal Audit requirement:** The requirement for a pre-signal audit for new systems should be eliminated to streamline the process and reduce delays. All systems are covered in the regular annual audit itself. Further, if a pre-signal audit is done for any new system, then the same should be exempted during the regular audit.
 4. **Avoiding an increase in Financial Disincentives:** Financial penalties for non-compliance should not be increased since that could hinder the growth of the sector.
 5. **Frequency of modifications in broadcaster pricing of channels:** Given that any change in RIO with respect to pricing of channels by broadcasters affects the whole ecosystem including DPOs and their customers, TRAI should fix a minimum validity period for the agreement between a DPO and Broadcaster and discourage broadcasters from making frequent changes. Implementation of RIO is itself very complex.

6. **Applicability of audit requirements for all DPOs:** It is important to ensure that all DPOs, including smaller operators, are subject to audit requirements since this will help ensure content security, maintain a level playing field and ensure compliance across the industry.

These modifications aim to streamline the audit process, reduce administrative burdens, and maintain the integrity and accuracy of subscription reports while supporting the growth and stability of the sector.

- 2. Should small DPOs be exempted from causing audit of their systems every calendar year, under Regulation 15(1) of Interconnection Regulation?**
- a. If yes, then,**
- i. Should 'subscriber base' of DPO be adopted as a criterion for defining small DPOs for this purpose?**
- 1. If yes,**
- a. what limit of the subscriber base should be adopted to define small DPOs for the purpose of exempting them from causing audit of their systems under Regulation 15(1)?**
- b. on which date of the year should the DPOs' subscriber base be taken into consideration for categorising whether or not the DPO falls in exempted category?**
- c. In case any distributor is offering services through more than one distribution platforms e.g. distribution network of MSO, IPTV, etc. then should the combined subscriber base of such distributor be taken into consideration for categorising whether or not the distributor falls in exempted category?**
- 2. If 'subscriber base' criterion is not to be adopted, then what criteria should be selected for defining small DPOs?**
- ii. In case it is decided that small DPOs may be exempted from causing audit of their systems under Regulation 15(1), then should broadcasters be explicitly permitted to cause subscription audit and/or compliance audit of systems of such DPOs, to verify that the monthly subscription reports made available by the distributor to them are complete, true and correct?**
- 1. If yes, what should be the mechanism to reduce burden on small DPOs that may result due to multiple audits by various broadcasters?**
- 2. If no, what should be the mechanism to verify that the monthly subscription reports made available by the small DPOs to the broadcasters are complete, true and correct?**
- b. If you are of the view that the small DPOs should not be exempted from the mandatory audit, then**
- i. how should the compliance burden of small DPOs be reduced?**
- ii. should the frequency of causing mandatory audit by such small DPOs be decreased from once in every calendar year to say once in every three calendar years?**

iii. alternatively, should small DPOs be permitted to do self-audit under Regulation 15(1), instead of audit by BECIL or any TRAI empaneled auditor?

Response:

We believe that **all DPOs, including small DPOs, must cause an audit of their systems.**

Ensuring that all DPOs, regardless of size, undergo audits is crucial for maintaining transparency, accuracy, and fairness in the broadcasting sector. This helps in creating a level playing field, ensuring content security and also ensuring that all operators adhere to the same standards.

If DPOs cannot be exempted, then compliance burden can be reduced by considering the following:

1. **Reduce the frequency of audits** – Audit frequency must be modified to ‘once in two financial years’ to reduce the compliance burden.
2. **Increase the number of auditors** – There is a need to increase the number of TRAI empaneled auditors to ease the process of auditing. All the empaneled auditors need to collectively cater to all the DPOs across the country. Therefore, the number of auditors need to increase.
3. **Simplify the audit process:** Implement a simplified audit process specifically designed for all DPOs to reduce the complexity and cost involved.
4. **Subsidise audit costs:** Provide financial assistance or subsidies to all DPOs to help cover the costs associated with the audits.
5. **Standardised templates:** Develop standardised templates/guidelines to streamline audit process.

These measures aim to **balance the need for regulatory oversight with the practical challenges** faced by DPOs, ensuring that all operators maintain high standards of service and transparency.

Drawing from global best practices, several countries have implemented measures to ensure compliance while reducing the burden on smaller operators:

1. **United States:** Federal Communications Commission (FCC) mandates regular audits for all operators but provides simplified reporting requirements and financial assistance for smaller entities¹.
2. **European Union:** The EU’s regulatory framework includes provisions for reduced audit frequencies and simplified compliance processes for small and medium-sized enterprises (SMEs) to balance oversight with operational feasibility².
3. **Australia:** The Australian Communications and Media Authority (ACMA) employs a risk-based approach, where operators with a good compliance history are subject to less frequent audits³.

These international examples highlight the importance of maintaining audit requirements for all operators while implementing measures to reduce the compliance burden on smaller entities.

¹ <https://www.thelawyerportal.com/blog/which-countries-have-the-strictest-environmental-laws/>

² <https://www.fao.org/policy-support/tools-and-publications/resources-details/en/c/1185752/>

³ https://en.wikipedia.org/wiki/List_of_environmental_laws_by_country

Scheduling of audit

3. As per the existing Interconnection Regulation, all the distributors of television channels have been mandated to cause audit of their system once in a calendar year. Should the existing provision of “calendar year” be continued or “financial year” may be specified in place of calendar year? Please justify your answer with proper reasoning.

AND

4. As per the existing Interconnection Regulation, the annual audit caused by DPO under regulation 15 (1), shall be scheduled in such a manner that there is a gap of at-least six months between the audits of two consecutive calendar years and there should not be a gap of more than 18 months between audits of two consecutive calendar years. Instead of above, should the following schedule be prescribed for annual audit?

- i) The DPOs may be mandated to complete annual audit of their systems by 30th September every year.
- ii) In cases, where a broadcaster is not satisfied with the audit report received under regulation 15(1), broadcaster may cause audit of the DPO under Regulation 15(2) and such audit shall be completed latest by 31st December.
- iii) In case DPO does not complete the mandatory annual audit of their systems by 30th September in a year, broadcaster may cause audit of the DPO under Regulation 15(2) from 1st October to 31st December year. This shall not absolve DPO from causing mandatory audit of that year by 30th September and render the non-complaint DPO liable for action by TRAI as per the provisions of Interconnection Regulation 2017?

Justify your answer with proper reasoning.

AND

5. In case you do not agree with schedule mentioned in Q4, then you are requested to provide your views on the following issues for consultation:
- i. As per the existing Interconnection Regulation, the annual audit caused by DPO under regulation 15(1), shall be scheduled in such a manner that there is a gap of at-least six months between the audits of two consecutive calendar years and there should not be a gap of more than 18 months between audits of two consecutive calendar years. Does the above specified scheduling of audit need any modification? If yes, please specify the modifications proposed in scheduling of audit. Please justify your answer with proper reasoning.
 - ii. For the audit report received by the broadcaster from the DPO (under regulation 15(1)), should the broadcasters be permitted to cause audit under regulation 15(2) within a fixed

time period (say 3 months) from the date of receipt of that report for that calendar year, including spilling over of such period to the next year?

- If yes, what should be the fixed time period within which a broadcaster can cause such audit. Please support your answer with proper justification and reasoning.
- If no, then also please support your answer with proper justification and reasoning?

iii. In case a DPO does not cause audit of its systems in a calendar year as specified in Regulation 15(1) then should broadcasters be permitted to cause both subscription audit and/or compliance audit for that calendar year within a fixed period (say 3 months) after the end of that calendar year?

- If yes, what should be the fixed time period (after the end of a calendar year) within which a broadcaster should be allowed to get the subscription audit and/or compliance audit conducted for that calendar year? Please support your answer with proper justification and reasoning.
- If no, then also please support your answer with proper justification and reasoning?

AND

6. What measures may be adopted to ensure time bound completion of audits by the DPOs? Justify your answer with proper reasoning.

Response:

Bharti Telemedia Limited believes that **the existing provision of ‘calendar year’ should be discontinued and ‘financial year’ should be specified.**

The following approach should be adopted for the annual audit caused by DPOs, which would also ensure a time-bound completion of audits:

1. Alignment with Financial Reporting:

a. Reasoning:

- i. Aligning the audit period with the financial year **ensures consistency with other financial reporting and compliance requirements.** This makes it easier for DPOs to integrate the audit process with their annual financial audits.
- ii. Renewal of Reference Interconnect Offer (RIO) takes place during January and February. Therefore, considering past practice, **conducting the audit on the basis of the calendar year is not feasible.**

b. **Ideal Timeline:**

- i. The annual audit should be completed **within nine months of the end of the previous financial year, i.e., by December of the current financial year (FY)**.
- ii. Generally, teams are pre-occupied with AGM and year-end audits during the four months following the financial year-end. Additionally, the audit involves a lot of time and efforts considering the exhaustive list of audit requirements to be completed from DPOs' and auditors' ends. Hence, allowing a period of nine months from the end of the financial year is both apposite and necessary to complete the audit.
- iii. The Audit Manual prescribes a large amount of data to be shared with the Auditors. Therefore, sufficient time is required to complete the audit, especially for those DPOs that have huge data.

2. **Grace Period for Compliance:**

- a. **Reasoning:** Providing a grace period of three months (i.e., until March of the current FY) allows DPOs additional time to complete the audit if they face any delays. This flexibility helps **ensure compliance without compromising the audit's integrity**.

b. **Broadcaster's Role:**

- i. Refer to the Executive Summary of this response and our response to Q1, wherein we have stated that the **requirement of Regulation 15(2) of a broadcaster caused audit / challenge audit should be done away with**. There does not seem to be any justification to continue with this additional audit given that main annual audit process, as given in Regulation 15(1), per se is **TRAI's own defined regulation and should be all encompassing**. However, in case 15(2) is retained on what are considered justifiable grounds, then its process should be further refined.
- ii. Further, if the DPO does not complete the audit within the specified time period (i.e., after the grace period as well - March of the current Financial Year), **broadcasters should be allowed to initiate an audit of the DPOs' systems only within the next six months**. Six months is sufficient time for the broadcaster to trigger an audit if required.
- iii. **After this period, no further audits should be allowed to be triggered, ensuring a clear and predictable audit schedule.**
- iv. Considering the volume of the data and the cost involved in maintaining data backup is huge, **DPOs would not be able to maintain data backup for a longer period**. Additionally, as per Schedule III, the distributor of television channels is required to preserve unedited data of the CAS and the SMS for a minimum of two years.

3. **Fixed Time Period for Broadcaster-initiated Queries on Audit Report in case Regulation 15(2) is retained on justifiable grounds:**

- a. In case the Regulation 15(2) is retained on justifiable grounds, then, to maintain a structured and timely audit process, broadcasters should be allowed to initiate queries on the audit done

- by TRAI empaneled auditor **only within one month of receiving the audit report from the DPO**. This will ensure that any discrepancies or issues are addressed promptly and efficiently.
- b. **After this period, no further queries should be allowed to trigger.**
 - c. Since the audit is significant and the scope of the audit is wide, adequate time should be provided to the DPO to respond to the queries related to the Audit Report.
 - d. **If the broadcaster has justifiable concerns on the audit report:** While broadcasters should be restricted from challenging the audit without valid justification and substantiated data, in case a challenge audit is still requested by the Broadcaster:
 - i. all **necessary measures should be taken**, including seeking TS recording and ground sample information from IBF / NBA, to ascertain the validity of the claim so that unnecessary audit can be avoided.
 - ii. Currently the clause relating to triggering an audit by a broadcaster is open ended. This should be modified so that the broadcaster can trigger the audit **only if the difference in the subscriber count is more than 2%**.
 - iii. In any scenario, **there should not be any disruption of service.**
 - e. Notwithstanding the above, please refer to the Executive Summary and our response to Q1, wherein **we have stated our contention that the requirement of Regulation 15(2) of a broadcaster caused audit / challenge audit should be done away with**. There is no justification to continue with this additional audit given that Regulation 15(1) of the main annual audit process per se is TRAI's own defined regulation and should be all encompassing.

Amendments to Audit Manual

7. Stakeholders are requested to offer their feedback on the amendments proposed in the Audit manual in this consultation paper (CP) in the format as given in Table 2.

Table 2: Format for stakeholders' response on issues related to audit manual raised in this consultation paper

S. No.	Page number of the existing Audit Manual	Clause number of the existing Audit Manual	Do you agree with the amendment proposed in this CP (Yes/No)	If you do not agree with the amendment proposed in this CP, then provide amended Clause proposed by you	Reasons with full justification of your response
1.					
2.					

Response:

Bharti Telemedia Limited welcomes the amendments in the Audit Manual proposed by TRAI in the Consultation Paper. While it is in agreement with some of the proposed amendments, here are a few for which there are additional inputs.

The table that follows gives Bharti Telemedia Limited's analysis indicating the **additional changes proposed in yellow highlight color:**

*Key	
abc	Addition
abc	Removal

S. No.	Page number of the existing Audit Manual	Clause number of the existing Audit Manual	Do you agree with the amendment proposed in this CP (Yes/ No)	If you do not agree with the amendment proposed in this CP, then provide amended Clause proposed by you*	Reasons with full justification of your response
1.	Page 8	4.4	Yes	-	-
2.	Page 9	4.4	No	Take the declaration of DPOs regarding the IRDs deployed in the headend including serial/VC numbers. The Auditor shall check few samples of broadcaster inventory for all the IRDs + VCs deployed by the DPO	It is recommended that processes should be conducted on a sampling basis so that the audit can be completed in a

Consultation Paper on Audit related provisions of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 and the Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual

S. No.	Page number of the existing Audit Manual	Clause number of the existing Audit Manual	Do you agree with the amendment proposed in this CP (Yes/ No)	If you do not agree with the amendment proposed in this CP, then provide amended Clause proposed by you*	Reasons with full justification of your response
				<p>during the audit. The checking may be done during lean hours (night time services window). The auditor shall ensure that there is no disruption of the live service of DPO.</p>	<p>reasonable amount of time.</p> <p>Checking of all the IRD and VC will be time consuming and disrupt ease of doing business.</p> <p>With such large numbers, it is a matter of common practice to conduct the audit on a sample basis and avoid any hurdles that may jeopardise a timely completion of the audit.</p> <p>Therefore, the auditor should check a few samples of the broadcaster inventory during the lean hours (night time services window).</p>
3.	Page 10	5.7	Yes	-	-
4.	Page 10	5.8	No	Clause not required.	The clause is a duplication of the newly added clause no. 4.4.

Consultation Paper on Audit related provisions of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 and the Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual

S. No.	Page number of the existing Audit Manual	Clause number of the existing Audit Manual	Do you agree with the amendment proposed in this CP (Yes/ No)	If you do not agree with the amendment proposed in this CP, then provide amended Clause proposed by you*	Reasons with full justification of your response
5.	Page 10	5.9	No	<p>It may be noted that in case the system generated reports captures all the field specified in the above declaration format, then the auditor may accept such system generated reports.</p> <p>The auditor should not insist on the specified format of the reports generated from the CAS application or from CAS server. However, the report should be able to reflect and produce desirable information.</p>	Statement taken from Schedule III – C 16 (d) to ensure uniformity.
6.	Page 12	7A	No	<p>It may be noted that all simulations tests on STBs should be carried out on those STB models that have been deployed and activated by the DPO post 2017 (i.e., post coming into effect of the Interconnection Regulations 2017) in the last two years. For this purpose, DPO must ensure that at least 2 STBs of each STB model, that have been deployed and activated by the DPO post 2017 in the last two years, are available in the stock for the simulation tests. Last audit reports may be referred for more details.</p>	<p>With all the innovations in technology that have taken place, product life cycles can no longer be maintained for several years at a time.</p> <p>Maintaining such voluminous records requires considerable resources.</p> <p>Additionally, the hardware also cannot be used again as the STB configuration also</p>

Consultation Paper on Audit related provisions of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 and the Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual

S. No.	Page number of the existing Audit Manual	Clause number of the existing Audit Manual	Do you agree with the amendment proposed in this CP (Yes/ No)	If you do not agree with the amendment proposed in this CP, then provide amended Clause proposed by you*	Reasons with full justification of your response
					continues to evolve.
7.	Page 13	Schedule III-C-1	Yes	-	-
8.	Page 18	Schedule III-C-12 & C-13	No	<p>Auditor should ensure:</p> <p>a) Date & time stamp is mandatory in report generation.</p> <p>b) All data from SMS server should be extracted in such a manner that no STB/VC is left out from the database.</p> <p>c) The screen shots and explanations of the queries shall be provided after masking customer confidential data of the DPO before handing over to the auditor and such screen shots and explanation should be included in the report. In case the Auditor has reason to doubt the output from the SMS/CAS reporting modules, he may verify the output of the frontend with that of the backend of SMS/CAS. For this purpose, the Auditor may choose to run any query/code of the SMS/CAS vendor for the extraction of data as needed post verification of the query/code in terms of the filters being used and in terms of the entire database being referenced or not". For this purpose, DPO can demonstrate data extraction</p>	<p>Data extraction can be performed by the DPO in front of the auditor in case there are any doubts regarding the CAS and SMS systems. This is because IP credentials, system ID and passwords cannot be shared with any external teams.</p> <p>The DPO can operate/ run commands on the systems in the presence of auditors and while the auditors can watch/ observe, they cannot access the live systems themselves.</p>

Consultation Paper on Audit related provisions of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 and the Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual

S. No.	Page number of the existing Audit Manual	Clause number of the existing Audit Manual	Do you agree with the amendment proposed in this CP (Yes/ No)	If you do not agree with the amendment proposed in this CP, then provide amended Clause proposed by you*	Reasons with full justification of your response
				<p>in front of auditor.</p> <p>d) The Auditor will check the generation capability of these reports in SMS at any desired time from the front end (SMS application) of the SMS.</p> <p>e) The SMS reports generated during the audit exercise for verification will be enclosed with audit report as Annexures.</p> <p>f) The auditor on sample basis will also generate three reports from the SMS database (back end) also and verify these reports with the reports generated from SMS application.</p> <p>g) It should be clarified here that auditor will not insist on the specified format of the reports generated from the front end (SMS application) or back end (SMS database) of the SMS However the report should be able to reflect desirable information.</p>	
9.	Page 20	Schedule III-C-14	No	<p>Auditor should ensure:</p> <p>a) Date & time stamp should be captured in all the reports generated from CAS.</p> <p>b) Auditor to extract historical transactional logs from CAS for audit period and confirm the availability of the data required.</p> <p>c) All data from CAS server (CAS servers installed by DPO and it's JVs CAS</p>	<p>Data extraction can be performed by the DPO in front of the auditor in case there are any doubts regarding the CAS and SMS systems. This is because IP credentials, system ID and</p>

Consultation Paper on Audit related provisions of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 and the Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual

S. No.	Page number of the existing Audit Manual	Clause number of the existing Audit Manual	Do you agree with the amendment proposed in this CP (Yes/ No)	If you do not agree with the amendment proposed in this CP, then provide amended Clause proposed by you*	Reasons with full justification of your response
				<p>(including standby headends, mini headends) should be extracted in such a manner that no STB/VC is left out from the database.</p> <p>d) The screen shots and explanations of the queries that are run shall be provided after masking customer confidential data of DPO before handing over to the auditor and such screen shots and explanations should be included in the report. In case the Auditor has reason to doubt the output from the SMS/CAS reporting modules, he may verify the output of the frontend with that of the backend of SMS/CAS. For this purpose, the Auditor may choose to run any query/code of the SMS/CAS vendor for the extraction of data as needed post verification of the query/code in terms of the filters being used and in terms of the entire database being referenced or not². DPO can demonstrate data extraction in front of auditor.</p> <p>e) Annexure1 should mention that CAS logs are available for up to preceding two consecutive years for each command executed in the CAS.</p>	<p>passwords cannot be shared with any external teams given the sensitive nature of data.</p> <p>The DPO can operate/ run commands on the systems in the presence of auditors and while the auditors can watch/ observe, they cannot access the live systems themselves.</p>

Consultation Paper on Audit related provisions of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 and the Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual

S. No.	Page number of the existing Audit Manual	Clause number of the existing Audit Manual	Do you agree with the amendment proposed in this CP (Yes/ No)	If you do not agree with the amendment proposed in this CP, then provide amended Clause proposed by you*	Reasons with full justification of your response
10.	Page 23	Schedule III D-1	No	a) Auditor to trigger fingerprinting from SMS or CAS by inputting start / end time, duration of display, frequency of display and confirming that the fingerprint is seen on the test STB output. b) Auditor to take a screenshot of the fingerprint. For multiple fingerprinting tests on multiple STBs, the screenshots may be enclosed on sample basis.	Fingerprinting can be triggered either from CAS or from SMS. As per the draft audit manual, fingerprinting may be triggered from SMS. In this regard, it is submitted that it should be allowed to trigger from either, the CAS or SMS. Since the end objective can be achieved both with CAS and SMS, this flexibility should be allowed.
11.	Page 24	Schedule III D-2	Yes	-	-
12.	Page 26	Schedule III D-11	Yes	-	-
13.	Page 27	Schedule III D-14	Yes	-	-
14.	Page 29	Schedule III E-8	Yes	-	-
15.	Page 30	Schedule III E-9	No	a) Auditor should take copies of BIS certificates from the DPO for each make & model of STB procured after 2012. in last two years. The BIS certificate of a STB may be of the year when the STB was purchased. Alternately, Auditor may also verify the validity of the	Should not be applicable for old inventory as that might have been reviewed already in previous audits. The requirement of providing

Consultation Paper on Audit related provisions of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 and the Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual

S. No.	Page number of the existing Audit Manual	Clause number of the existing Audit Manual	Do you agree with the amendment proposed in this CP (Yes/ No)	If you do not agree with the amendment proposed in this CP, then provide amended Clause proposed by you*	Reasons with full justification of your response
				<p>BIS Certificates online (by inputting the Registration Number of the first BIS Certification of the respective STB Models). Screenshots of the online verification of such BIS validity should be provided in the Audit Report.</p> <p>b) The certificates should mention exact STB make & model nos.</p> <p>c) As of the audit date, the certificates should be valid for the STB models which are available in the physical stock and the current inventory of DPO for deployment. For this purpose, DPO must ensure that at least 2 STBs of each STB model, that have been deployed and activated by the DPO post-2017 in last two years, are available in the stock.</p> <p>For old STB models deployed before the 2017, the DPO need to have at least one BIS Certification (whether valid/expired) to prove BIS Compliance at the time of seeding the STBs.</p>	<p>compliance certificates should be applicable only for the STBs which are currently being deployed in the network; not on the previous STBs (which are not being deployed currently by the operator). The requirement of providing certificates of the discontinued models of STBs will create logistical issues as some vendors may have already discontinued production.</p>

We request that the above suggestions may be taken into consideration in the final Audit Manual.

8. Please provide your comments/any other suggested amendment with reasons thereof in the Audit Manual that the stakeholder considers necessary (other than those proposed in this consultation paper). The stakeholders must provide their comments in the format specified in Table 3 explicitly indicating the existing clause number, suggested amendment and the reason/full justification for the amendment in Audit Manual.

Table 3: Format for stakeholders’ response on issues related to audit manual on issues other than those proposed in this consultation paper

S. No.	Existing/ New clause	In case of new clause, please indicate clause number inserted	In case of Existing clause			Suggested Amendment	Reasons/ full justification for the proposed amendment
			Page number of the existing Audit Manual	Clause number of the existing Audit Manual	Existing Clause		
1.							
2.							

Response: No comments

Issues related to Infrastructure Sharing

9. In light of the infrastructure sharing guidelines issued by MIB, should clause D-14 (CAS & SMS) of Schedule-III of Interconnection Regulation 2017), be amended as follows:

“The watermarking network logo for all pay channels shall be inserted at encoder end only. Provided that only the encoders deployed after coming into effect of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) (Amendment) Regulations, 2019 (7 of 2019) shall support watermarking network logo for all pay channels at the encoder end.

In case of infrastructure sharing, the infrastructure sharing provider shall insert its watermarking network logo for all pay channels at encoder end while each DPO taking services from infrastructure provider distributor shall insert its own watermarking network logo for all pay channels at STB end.”

Please support your answer with proper justification and reasoning. If you do not agree then suggest an alternative amendment, with proper justification?

Response: Bharti Telemedia Limited agrees with the proposed amendment by TRAI. The amendment in the specified clause is required to ensure that the operators sharing infrastructure can be identified for piracy individually through watermarking.

10. In case of infrastructure sharing, if it is decided that the infrastructure sharing provider shall insert its watermarking network logo for all pay channels at encoder end while each DPO taking services from infrastructure provider distributor shall insert its own watermarking network logo for all pay channels at STB end,

- i) does the specification of the logos (transparency level, size, etc), of both Infrastructure provider and infrastructure seeker distributors, need to be regulated? If yes, please provide detailed specification (transparency level, size, etc) of the logos of both Infrastructure provider and infrastructure seeker distributor.
- ii) Since appearance of the logos of more than one DPO on the TV screen may compromise the quality of the video signal at the subscriber’s end, what measures such as overlapping logos of the DPOs or any other solution, should be adopted to ensure that while logo of the DPO (infrastructure seeker) is prominently visible on the subscriber’s TV screen, the objective of tracing piracy is also met through watermarking the network logo of the infrastructure provider DPO suitably? Please provide details of measure proposed.

Please support your answer with proper justification and reasoning.

Response:

- i) Bharti Telemedia Limited believes that the specification of the logos **should not be regulated** considering the complexity involved in implementing at the STB end for development and

required specification. Specifications should be left up to the operator to decide considering that it is important that the viewing experience and video quality are not impacted, and that regulatory compliances are adhered to.

- ii) Presently, there does not exist any viable solution which can address DPOs' watermarking requirements without affecting video quality.

11. In light of the infrastructure sharing guidelines issued by MIB, should clause C-14 (CAS & SMS) of Schedule-III of Interconnection Regulation 2017), be amended as follows:

“The CAS shall be independently capable of generating, recording, and maintaining logs, for a period of at least immediate preceding two consecutive years, corresponding to each command executed in the CAS including but not limited to activation and deactivation commands issued by the SMS.

In case Infrastructure is shared between one or more distributors, the CAS shall be capable of generating, recording, and maintaining logs for each distributor separately for the period of at least immediate preceding two consecutive years, corresponding to each command executed in the CAS including but not limited to activation and deactivation commands issued by the SMS.”

Please support your answer with proper justification and reasoning. If you do not agree then suggest an alternative amendment, with proper justification?

Response: No comments

12. For those cases of infrastructure sharing where the CAS and SMS are not shared by the infrastructure provider with the infrastructure seeker,

- i. do you agree that in such cases, the audit of the infrastructure seeker so far as the shared infrastructure is concerned, should extend to only those elements of the infrastructure of the provider which are being shared between the DPOs?
- ii. should a broadcaster be permitted to cause the complete technical audit of all the DPOs, including the audit of the shared infrastructure, as a precondition for the broadcaster to provide the signals of television channels, if the broadcaster so decides?

Please support your answers with proper justification and reasoning.

Response:

For those cases of infrastructure sharing where the CAS and SMS are not shared by the infrastructure provider with the infrastructure seeker, a **separate audit of the infrastructure seeker and the infrastructure provider should be conducted**. However, the audit of the infrastructure seeker as far as the shared infrastructure is concerned, should not extend to only those elements of the infrastructure of the provider which are being shared between the DPOs.

Further, please refer to the Executive Summary and our response to Q1, wherein it is our contention that the requirement of Regulation 15(2) of a broadcaster caused audit / challenge audit should be done away with. There is no justification to continue with this additional audit given that annual audit process, stated in Regulation 15 (1), per se is TRAI's own defined regulation and should be all encompassing. However, in case 15(2) is retained on justifiable grounds, then its process should be further refined.

Further, **broadcasters should not be allowed to commission a complete technical audit of all the DPOs**, including an audit of shared infrastructure, as a precondition to providing the signals of television channels because **it is sensitive information related to network architecture**. CAS /SMS are, in any case, an integral part of the addressable system and are of a technical nature.

The design of network infrastructure should be driven by the DPO and content security should be owned by the DPO. All the DPOs/MSOs/DTH/HITS are required to undergo a mandatory annual audit and, thus, any specific/relevant requirement of the broadcaster can be audited during yearly audits.

We also recommend that a **single auditor should be permitted to conduct audits for all line of services – DTH, HITS, IPTV etc.**

13. In case CAS and SMS are shared amongst service providers,

- i. **what provisions for conducting audit should be introduced to ensure that the monthly subscription reports made available by the distributors (sharing the infrastructure) to the broadcasters are complete, true, and correct, and there are no manipulations due to sharing of CAS/DRM/SMS?**
- ii. **should a broadcaster be allowed to simultaneously audit (broadcaster-caused audit) all the DPOs sharing the CAS/DRM/SMS, to ensure that monthly subscription reports are complete, true, and correct in respect of all such DPOs, and there are no manipulations due to sharing of CAS/DRM/SMS? Support your answer with proper justification and reasoning.**

Response:

- i. In cases where the SMS and CAS infrastructure have to be shared, both systems can individually provide the required reports necessary for audit compliance. Current provisions for audit are also applicable for sharing and thus are okay.
- ii. **The broadcaster should not be allowed to simultaneously audit (broadcaster-caused audit) all the DPOs sharing the CAS/DRM/SMS** as all DPOs/MSOs/DTH/HITS are required to undergo mandatory annual audit every year. Therefore, any specific/relevant requirements of the broadcaster can be audited during the yearly audits themselves.

14. Do you agree that in case of infrastructure sharing between DPOs, suitable amendments are required in the Schedule III of the Interconnection Regulation and the audit manual for assessment of multiplexer's logs during audit procedure? If yes, please suggest the proposed amendment(s), keeping in mind that no broadcaster should be able to see the data of another broadcaster. Please support your answer with proper justification and reasoning. If you do not agree, then also please support your answer with proper justification and reasoning?

AND

15. In light of infrastructure sharing, does clause 4.5 of the existing Audit Manual require any amendment? If yes, please suggest the amended clause. Please provide proper justification for your response. If no, then also please support your answer with proper justification and reasoning?

Response:

In cases of infrastructure sharing, the existing clause 4.5 is applicable and no changes are required, since the Multiplex output (transport stream) carries common ECM and EMM from the shared CAS platform.

16. In light of the infrastructure sharing guidelines issued by MIB, should clause 5.3 and clause 5.4 of Audit Manual be amended to read as follows:

"5.3 Certificate from all the CAS vendors (Format as in Annexure 1).

5.4 Certificate from SMS vendors (Format as in Annexure 2).

Note: In case of Infrastructure sharing, all the certificates/ documents related to CAS and SMS, should be given by the infrastructure provider distributor on the basis of certificate issued to it by CAS and SMS vendor."

Response:

We agree with the proposed amendment.

17. In light of the infrastructure sharing guidelines issued by MIB for sharing of infrastructure amongst MSOs, amongst DTH operators and between MSO and HITS operator, do you think that there is a need to amend any other existing provisions of Interconnection Regulations 2017 or introduce any additional regulation(s) to facilitate infrastructure sharing amongst MSOs, amongst DTH operators and between MSOs and HITS operators?

If yes, please provide your comments with reasons thereof on amendments (including any addition(s)) required in the Interconnection Regulation 2017, that the stakeholder considers necessary in view of Infrastructure guidelines issued by MIB. The stakeholders must provide their comments in the format specified in Table 4 explicitly indicating the existing Regulation number/New Regulation number, suggested amendment and the reason/ full justification for the amendment in the Interconnection Regulation 2017.

Table 4: Format for stakeholders' response on amendments required in Interconnection Regulation 2017 in view of Infrastructure guidelines issued by MIB

S. No.	Regulation number of the existing Interconnection Regulation 2017/New Regulation number proposed in the Interconnection Regulations 2017 (1)	Provisions of the existing Regulation (2)	Amendment/ new provision(s) suggested by the stakeholder (3)	Reasons/ full justification for the proposed amendment (4)
1.				
2.				

(Note: In case additional regulation is proposed column (2) may be left blank)

AND

18. In light of the infrastructure sharing guidelines issued by MIB for sharing of infrastructure amongst MSOs, amongst DTH operators and between MSO and HITS operator, do you think that there is a need to amend any other existing provisions of Audit Manual or introduce any additional clause(s) to facilitate infrastructure sharing amongst MSOs, amongst DTH operators and between MSOs and HITS operators? If yes, please provide your comments with reasons thereof on amendments (including any addition(s)) required in Audit Manual, that the stakeholder considers necessary in view of Infrastructure guidelines issued by MIB. The stakeholders must provide their comments in the format specified in Table 5 explicitly indicating the existing clause number/New Clause

Number, suggested amendment and the reason/ full justification for the amendment in Audit Manual.

Table 5: Format for stakeholders' response on amendments required in Audit Manual in view of Infrastructure guidelines issued by MIB

S. No.	Page number of the existing Audit Manual (1)	Clause number of the existing/ New clause Number Audit Manual (2)	Existing Manual (3)	Amendment/ new provision(s) suggested by the stakeholder (4)	Reasons/ full justification for the proposed amendment (5)
1.					
2.					

(Note: In case additional clause is proposed column (1) and (3) may be left blank)

Response:

We advocate for a holistic method to infrastructure sharing that extends beyond cable and broadband services. The potential for cross-industry infrastructure sharing, such as between IPTV and DTH platforms, presents an opportunity to maximise resource utilisation and drive efficiencies across sectors.

Drawing parallels with the telecom industry, where infrastructure sharing has been instrumental in realising economies of scale, the importance of liberal and mutual policies for infrastructure sharing cannot be emphasised enough. Such policies not only foster innovation but also contribute significantly to the sustainability efforts of companies and the nation at large.

The benefits of infrastructure sharing extend beyond cost savings, encompassing efficient utilisation of available infrastructure, reduced capital and operational expenditures (Capex and Opex) and decreased reliance on foreign imports of electronic systems and satellite transponders. Additionally, infrastructure sharing enhances distribution network capacities.

The guidelines for Infrastructure sharing issued by MIB includes provision for infrastructure sharing across DPO platforms like HITs with DTH, and DTH with IPTV. In the interest of saving on infrastructure cost investment (foreign investment), it should not be limited to DTH with DTH and MSOs with MSOs. **Infrastructure sharing should be allowed in all possible scenarios and across all platforms, including but not limited to DTH and IPTV.**

DPOs should be allowed to enable converged platform and leverage maximum resources for better Capex and Opex efficiency, as implemented in other developed nations like the US, UK, Singapore etc.

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

Response: No comments
