

**Dated: - 23.8.2013**

**From:**

**Sanjay Kumar Deb  
Managing Director  
GTPL V&S Cable Pvt. Ltd  
Dibrugarh, Assam**

**To**

**The Advisor (B&CS)  
Telecom Regulatory Authority of India  
Mahanagar, Doorsanchar Bhawan  
Jawahar Lal Neheru Margh  
New Delhi -110002.**

**Sub: Consultation Paper No. 8/2013**

**Respected Sir,**

**Thanks for seeking consultation on one of the most important aspect and flaw of the Cable TV distribution system. As a MSO struggling to survive in the business of Cable TV would like to put forward the following perspective**

- 1. The offerings of channels of different broadcasters in present form by contents aggregators have virtually created monopoly with immense supremacy to make the MSO and Cable operators accept their terms and conditions.**
- 2. The MSO and Cable operators have no scope to negotiation nor can they survive without accepting the terms or conditions of presently available channels packages.**
- 3. The misuse of such dominant position of content aggregators has created panic and insecurity among the MSO and cable operators.**
- 4. The subscribers of cable TV are worst effected with frequent disruption of popular channels due to conflict and failure of negotiation between the content aggregator and MSO/Cable operator.**
- 5. The huge investments for DAS by MSO are in constant threat due to uncertainty and failure of negotiation with most dominant content aggregators.**
- 6. Even in the DAS regime the discriminating rate offerings by content aggregators due to cross holdings of stake , personal relations and sometime conspiracy had brought the business of cable TV entirely under the control of content aggregators.**
- 7. Content aggregators with out any social responsibilities are engaged in maximizing their profit with least concern to the choice of subscribers or the operators who are earning livelihood from the business.**

In the light of the above the contents should be offered to MSOs and Cable Operators as proposed by TRAI in the consultation paper dated 6.8.2013.

There are sufficient competitions in the ground distribution of TV channels but hardly any at the contents distribution level, so proper mechanism must be there to maintain healthy competition between the content broadcasters.

Broadcaster should not be allowed to discriminate in the rate of offering to different MSO at their will in the name of bulk purchase and sale which gives the opportunity to the broadcasters to impose their terms and conditions. The scheme offered by broadcasters for any rate discounts or PPD or marketing budget should not be MSO centric but should be town and city centric proportionate to the total subscribers of the MSO's. Moreover the MSOs of TAM cities are in advantageous position while competing with MSOs operating only in non TAM towns and cities due to carriage deals with the broadcasters. The rate difference in the source of purchase by the cable TV distribution leads to uneven competition among the big and small MSO.

Therefore the channels offered by broadcaster:

1. should be such that the MSO can subscribe the channels or choose the package as per the requirement of their subscribers and area e.g.

NAME OF THE BROADCASTER	NAME OF THE CHANNELS	ALA CARTE RATE
X	A	10
	B	6
	C	4
	D	4
	E	3
	F	2
	G	1
<b>TOTAL</b>		<b>30</b>

Broadcaster should declare the % of discount that can be offered for subscribing any 2/3/4/5/6/all 7 channels from the above list, Example:

Customer M seek to subscribe channel A, C, G he should be billed as  $(10+4+1) \times 90\%$  (as per declaration of broadcaster) = 13.5

Customer N seek to subscribe channel B, C, D, G he should be billed as  $(6+4+4+1) \times 80\%$  (as per declaration of broadcaster) = 12

Customer O seek to subscribe all channels he should be billed as  $30 \times 60\%$  (as per declaration of broadcaster) = 18.

2. The carriage deal should be as per STB and not on the arbitrary TAM which creates price discrimination. This shall lead to uniform level playing field for those MSOs which are operating in smaller towns and planning for digitalization.

I submit the above for your kind consideration and appropriate/acceptable solution to all the players.

Thanking you

Yours faithfully

Sanjay Kumar Deb