

May 05, 2018

To,

Shri Anil Kumar Bhardwaj (Advisor-B & CS)  
Telecom Regulatory Authority of India  
Mahanagar Doorsanchar Bhawan  
Jawahar Lal Nehru Marg  
New Delhi-110002

**Sub: Comments on the Consultation Paper dated 3<sup>rd</sup> April 2018 on Issues related to Placing of Television Channel on Landing Page**

Dear Sir,

At the outset we thank Telecom Regulatory Authority of India (TRAI) for giving us an opportunity to provide inputs on the issue of Landing Page Channel.

We would like to state that the issue of Landing Page has been unnecessarily raised on irrational concern of a non-serious and nonchalant stake holder and any attempt to regulate it will prove detrimental to the interest of the DPOs which is already struggling for its survival.

It may be noted that a regulation issued by TRAI for controlling the working of LCN is already in existence. Accordingly, putting further constraint by way of any new regulation/direction with respect to landing page channel will make the business more unviable and restrict the growth thereof. Hence it is a unrequired exercise.

**As desired we are giving our response to your queries for your kind consideration:**

**Q1. Do you feel that emerging concept of placing TV channel on landing page can influence TRP ratings? Suggest the action which may address the issue with justification.**

**Our Response:** The question framed by TRAI has been structured without analysing the basic behaviour of a consumer with respect to the TV viewing. It is necessary to understand the very basic of consumer viewership behaviour before moving on to the impact of landing page on TV ratings.

The landing page is the LCN which opens up when a consumer switches on the set top box. It simply provides information to the consumer about the

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concerned channel and its contents without imposing any restriction on movement to other channels of the liking of the consumer.

There is a comprehensive guide for the choice of channels in the form of Electronic Program Guide (EPG) which gives an option to the consumers to reach to its favourite Channel by way of the said EPG.

The landing page channel or LCN does not restricts a consumer but only gives an information/option of the channel as is the case with other Logical Channel Numbers. Consumer has all the freedom and option to immediately move to other channel of it's liking.

It should be further understood that even though there is a difference in the positioning/placement of a channel on the platform of DPOs it does not necessarily mean that a channel which is placed at No.1 will garner more viewership than a channel placed at No. 6. The choice or viewership of channel exclusively depends on the individual choice of the consumer and the quality of content.

The choice of channels by a consumer is independent of the TRP which is only a measure of the consumer choice not the basis of the consumer preferences. It is the preference and choice of the channels that impacts TRP and not TRP which impacts the choice of channels.

It may be understood that concept of landing page is akin to promotion of channel by way of other means being employed by Broadcasters to promote their content.

The very reasoning of TRAI given in its consultation paper that Landing LCN involuntarily provides a TRP to the channel is in itself flawed and has been put without giving a thought to the same. The consumer has the choice to move to another channel of its liking much before 30 seconds and accordingly the time frame of 30 seconds with respect to a landing page channel is in itself ill-founded.

The advantage of the landing LCN is not as TRAI assumes i.e, to distort the TRP rating but is to inform the consumer about a channel and content. The



landing page is an enabler of choice and any impact of the said Landing LCN on the TRP is because of choice of the consumer to continue with the same.

It may be noted that the measures for viewership rating are based on the actual choice of consumer having adequate measures and safeguard for the same.

It is important to understand that the concept of Landing page LCN in technical parlance has been in place for many years and is not an emerging phenomena.

**Q2. Should concept of landing page be defined? If so, please suggest the definition of the landing page with justification.**

**Our response:** The concept of landing page is well understood phenomena and hence does not requires to be captured or defined in the documents of TRAI.

**Q3. Will defining Framework for placing TV channels on landing page affect the present business model of distributors? If so, will it be considered impacting the freedom to do business by distributors of TV channels? Give your suggestions with justification.**

**Our Response:** It may be understood that TRAI cannot come up with a regulation on the issues that is already being controlled under the provisions of DAS 2012 regulations. The concept of Electronic Program Guide in itself puts a reasonable restriction on the placement of channel. The business of DPOs cannot be run by way of handholding which has its own financial challenges and restrictions. The regulatory regime should not only be authoritative but also business friendly.

**Q4. Is landing page a natural choice of consumer while viewing TV channels? If not, why should channels, whose TV ratings are released by TV rating agency, be placed on landing page? Give your comments with justifications.**

**Our Response:** As explained in response to question 1 it may be understood that landing page only gives information about the channel and consumer has all



the choice to choose other channels of its preference by way of electronic program guide. Landing page LCN has nothing to do with TRP since it is enabler of viewership choice only and not a restriction on the choice.

The very purpose of the Electronic Program Guide is to give consumers a easy access to program/channel of its choice and placing a channel whose TRP is high on the landing page will defeat the very purpose of the EPG.

It is to be understood that it is not the notification/information about channel which sets the TRP but it is the actual viewing which regulates it.

We reiterate that landing page does not put any restriction on the changing or choice of channels by the consumer.

- Q5. Whether placing of a TV channel on landing page increases television ratings? If yes, why TV Channels, whose TV ratings are released by TV rating agency, should not be barred from being placed on landing page? If no, why broadcasters are eager to place their channels on landing page? Give your suggestions with justification.**

**Our Response:** As explained earlier the television rating is dependent only on the actual viewership of a channel. The landing page channel only gives information about a channel and/or an opportunity to broadcaster to promote their content. The actual viewership depends on the choice of consumers to continue with a particular channel.

It is a totally misconceived belief of TRAI that the landing page channel influences the viewing choice of consumers and has been placed without proper research to the effect.

It is emphatically placed that there is no correlation between the landing page and TV ratings. The belief of TRAI has been put without any basis and justification.

- Q6. What should be the criteria/consideration to put a TV channels on landing page? Give your suggestion with justification.**



**Our Response:** There shall be no criterion and the same should be left to the absolute discretion of DPOs.

**Q7. Do you think the influence, if any, in television ratings by placing of TV channels on landing page can be mitigated through changes in measurement methodology of television ratings? Give your suggestions with justifications?**

**Our Response:** The very belief of TRAI that placing a channel on landing page influences TV rating is conceptually misconstrued and hence is completely unjustified. It is stated that TV rating is completely unrelated to landing page channel as it is the actual viewership which influences TV rating.

**Q8. Please comment on the feasibility to implement user's 'last visited page' as landing page in distributors' network?**

**Our Response:** We are not aware of any such technical feasibility. The landing LCN is displayed on hard reboot of the set top box and some LCN has to be assigned for reboot of the set-top box.

**Q9. Should the landing page be used to place TV channels not having TRP rating or only to provide platform specific information? Give suggestions with justification.**

**Our Response:** As explained in the previous paras there is no connection between the landing page LCN and TV rating. Further regulating a space which is already under the restrictions of the TRAI regulations will be an impediment to the constitutional rights of DPOs to do business in free and fair manner.


Further it is a capacity owned by the DPOs and accordingly its utilization should also be left at the discretion of DPOs.



It may be noted that the placement of a channel does not ensure viewership and hence the question is completely irrelevant.

Thanking you,

**FOR HATHWAY DIGITAL PRIVATE LIMITED**



**NIHARIKA MATLANI**

Company Secretary and Compliance Officer