

Date: August 29, 2019

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

**Sub: Comments on Draft Regulation to facilitate consumer choice of TV channels using
Application Program Interface (API)**

Dear Sir,

At the outset we thank Telecom Regulatory Authority of India (TRAI) for giving us an opportunity to provide inputs on the captioned draft regulation termed as Second Amendment to the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations 2017.

At the very outset we would like to state that as an explanation Hon'ble Telecom Regulatory Authority of India (TRAI) has explained the process and flow of the selection of channels through API, which is more or less in line with the current channel selection process made available by us to our subscribers to enable them choose the channel that they desire to watch.

We would further like to highlight the fact that initially because of the wholesome changes required in the IT systems due to New Tariff Order "NTO" including but not limited to configuration of huge number of Bouquets declared by the Broadcasters, there were some teething IT issues, which have now been completely sorted out and IT systems are working in a seamless manner enabling subscribers to make their desired selection including deletion of channels.



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Hence in our opinion for the reasons as detailed below, direction for employing an application developed by third party should not be made mandatory and should be left at the discretion of the Mutli System Operator "MSOs" to either develop or improve upon their exiting APP atleast for the National Level MSOs having minimum subscriber base of 1 million.

For Hathway Digital Private Limited



Niharika Matlani

Company Secretary and Compliance Officer



Our Response:

The Hon'ble Authority may recall that while recording our response to the Entry Level Net Worth requirement of MSOs in Cable TV Services we have specifically advocated for minimum net-worth criteria for the MSOs with a reasoning that it will help to build a robust ecosystem which will not only enable the MSO to ensure compliance's required under NTO but would also help in meeting the intent of the Regulator while coming out with NTO i.e. Choice to consumer/Quality of service /Transparency in the sector .

In our view, all the National Level MSOs already have APP (either Mobile or on their website) developed for their subscribers to enable them make selection of their desired channels including addition & deletion of channel from their Pack on similar line as has been suggested by the Authority. Hence as far as they are concerned since they already have an APP designed on similar lines as is required by the Authority , working on a third party APP would be an exercise in futility , which they can utilize in upgrading their exiting APP to make it more robust or to modify it to be in full sync with the authority requirement. The National level MSOs have already spent lot of resources to employ best of technology to come up with such App , making an app developed by a third party vendor compulsory for all MSO's might put at risk all earlier initiative taken by the MSO's , leading to huge financial loss.

It may be further noted that the third party app might also risk leakage of subscriber information and may compromise with our subscriber data which would have taxing effect on our businesses.

It is further stated that any Third Party App Developer company , who will develop the APP for enabling the Subscriber to make their choice of channels of their respective MSOs, would be tempted to use such subscriber data to recover its cost of production by making the same available in the marketplace, thereby putting the subscribers at risk of being exploited by various service providers.

it is also apprehended that Online aggregators will slowly gather lot of subscriber data and can get into various suggestions or influences by way of digital marketing, calling etc to subscribers leading to circumventing the real choice being available to consumer, which TRAI intends to protect through this amendment.

With third party app and the likelihood of subscriber data being available in the market place, technically online aggregators can get security of a MSOs Platform compromised through a robo Multiple hits or denial of service attack, which could lead to serious



business downtime as it is MSOs core service. To avoid this MSOs will have to put segregation or sand box systems approach which will cost both one time and recurring cost and it will come without any immediate benefit.

Accordingly we suggest that the direction for employing an application developed by third party should not be made mandatory and should be left at the discretion of the MSOs to either develop it or further improve the same atleast for the Distributor with a minimum base of one million subscribers.

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