

LG Electronics India Limited

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To,

The Advisor (B&CS), Telecom Regulatory Authority of India

Subject: Response to Consultation Paper on Formulation of a Regulatory Framework for Application-based Linear Television Distribution (ALTD) Services (Including Free Ad-Supported Streaming Television (FAST) Services) dated 6th April.2026 Respected Madam,

On behalf of **LG Electronics India Limited**, we appreciate the opportunity to provide our comments on the consultation paper issued on 6th April 2026 regarding the formulation of a regulatory framework for ALTD services.

We recognize the growing importance of application-based linear television distribution and FAST services in the evolving digital ecosystem. These platforms are reshaping consumer viewing habits and expanding access to diverse content. However, it is essential to ensure that the regulatory framework balances innovation, consumer interest, and fair competition.

We believe that a balanced and forward-looking regulatory framework will enable sustainable growth of ALTD and FAST services while protecting consumer interests and fostering innovation.

We thank TRAI for initiating this consultation and remain committed to supporting the Authority in shaping a robust regulatory environment.

Please find below our responses to the queries raised:

- 1. What should be the appropriate definition and scope of Application-based Linear Television Distribution Services, i.e., 'ALTD Services' in the Indian broadcasting context, taking into account terminologies available internationally? Stakeholders are requested to provide their comments with detailed justification.**

LGEIL RESPONSE:

1. Proposed Definition of ALTD Services From a legal and regulatory standpoint, the definition of Application-based Linear Television Distribution (ALTD) Services must be strictly tied to the exercise of editorial control and content curation, rather than the technological medium of delivery.

We propose the following definition for ALTD Services in the Indian broadcasting context:

ALTD Services are application-based services that distribute linear television channels (whether Free-to-Air or Paid) to consumers over the internet via pre-scheduled television channel streams. Such services must be directly operated, managed, and controlled by an identifiable Application Provider who holds the requisite distribution rights, exercises editorial control, and curates the content for such services, regardless of whether the application is pre-installed on a device or downloaded by the user.

2. Scope of ALTD Services and Necessary Exclusions (Detailed Justification) In determining the scope of ALTD services, particularly concerning Free Ad-supported Streaming TV (FAST) services, it is imperative to establish clear legal boundaries between content distributors and technology/hardware providers. We urge the Authority to consider the following legal distinctions:

- A. Focus on Content Curation and Control, Not Hardware Availability:** The regulatory ambit of ALTD should be determined by the "curation and control" of the content. The mere fact that an application offering FAST channels is pre-installed on a Smart TV or device does not legally transfer the status of a content distributor to the Original Equipment Manufacturer (OEM). The scope of ALTD regulations must apply exclusively to the entity that aggregates the channels, negotiates content licensing, and exercises editorial control over the broadcast stream.

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- **B. Clear Distinction between Application Providers and Device Manufacturers:** The regulatory framework must clearly distinguish between an Application Provider (the entity involved in channel aggregation and distribution) and a Television/Device Manufacturer (the entity providing the hardware, Operating System, and user interface). Even in instances where a TV manufacturer provides an in-house operating environment or a proprietary interface that hosts FAST applications, the manufacturer is merely providing a technological framework. If the manufacturer does not curate the underlying linear streams, they cannot be legally classified as an ALTD service provider.
- **C. TV Manufacturers as Intermediaries / "Mere Conduits":** Legally, the role of a TV manufacturer is analogous to that of an Internet Service Provider (ISP) or a smartphone manufacturer. Under established legal principles of intermediary liability, a TV manufacturer provides the technological medium of access (the hardware and OS), not the service itself. Regulating device manufacturers under broadcasting or ALTD frameworks would be a regulatory overreach, penalizing the infrastructure provider for the services delivered by third-party application providers over the internet.

3. International Context Internationally, regulatory frameworks (such as those in the EU and the US) consistently differentiate between hardware/device manufacturers and content distributors (like MVPDs or OVDs). Global best practices dictate that broadcasting and distribution regulations are applied to the entities that actively package and transmit the content, while granting safe harbor or exemptions to the hardware and operating systems that merely facilitate consumer access to the internet.

Therefore, the scope of ALTD Services must explicitly exclude Television Manufacturers and OEMs. The definition should be strictly limited to identifiable Application Providers who actively curate, control, and distribute linear television content.

2. The 'ALTD Services' ecosystem involves multiple entities, including application providers, television equipment manufacturers, operating system providers, broadcasters, content providers, content aggregators and other technology or solution providers. However, the application provider appears to play a central role in the distribution of linear television channels across various business models. In this context, should the Application Provider be designated as the primary stakeholder responsible for obtaining authorization for the provisioning of 'ALTD Services'?

A. If yes, please provide detailed justification and supporting reasons.

B. If not, please identify the appropriate stakeholder(s) who should be responsible for obtaining such authorization, along with rationale.

LGEIL RESPONSE:

In our view, the Application Provider should be designated as the primary stakeholder responsible for obtaining authorization for the provisioning of 'ALTD Services'.

From a legal, technical, and operational standpoint, the regulatory burden of obtaining authorization must fall squarely on the entity that actively manages, controls, and legally distributes the content—which is the Application Provider. Original Equipment Manufacturers (OEMs) and TV Manufacturers (such as LG) act strictly as neutral technology enablers and cannot be legally classified as primary stakeholders or distributors in the ALTD ecosystem.

We urge the Authority to consider the following legal and operational distinctions that justify placing the authorization requirement solely on the Application Provider:

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1. Distinction from Traditional Distribution Platform Operators (DPOs): Unlike traditional DTH or Cable operators, who possess a full-fledged, proprietary distribution mechanism (including broadcast centers, head-ends, and extensive dedicated infrastructure for channel distribution), OEMs in the FAST (Free Ad-supported Streaming TV) ecosystem merely provide the consumer endpoint. The OEM provides the hardware, Operating System (OS), App Store, and User Interface (UI) hosting. Legally, this positions the OEM as a "mere conduit" or intermediary, rather than a distribution platform.

2. Absence of Editorial Control and Curation: A fundamental prerequisite for broadcasting or distribution authorization is the exercise of control over the content. TV Manufacturers do not curate, schedule, or exercise any editorial control over the linear channels being streamed. The Application Provider is the sole entity making editorial and scheduling decisions, and therefore must be the entity subject to regulatory authorization.

3. Lack of Privity of Contract with Broadcasters (No Carriage Agreements): In the current ALTD/FAST ecosystem, TV Manufacturers do not enter into carriage agreements or interconnection agreements with broadcasters to onboard their channels. The legal nexus (privity of contract) regarding distribution rights exists exclusively between the Broadcaster and the Application Provider. Since the OEM has no direct legal or commercial deal with the broadcaster for the content, it cannot be held responsible for obtaining distribution authorizations.

4. Technological Neutrality and Playout Infrastructure: TV Manufacturers do not stream channels through their own playout servers. The actual transmission and streaming of linear channels to the OEM's platform are executed by the Application Providers or their designated technology/solution partners (e.g., Amagi, YuppTV). Because the OEM does not control the playout infrastructure or the broadcast stream itself, it lacks the technical capacity to enforce broadcasting compliance, further disqualifying it as the primary stakeholder.

5. Ownership of Distribution Rights: The legal right to distribute a broadcaster's linear channel over the internet is granted to the Application Provider. Regulatory frameworks dictate that the entity holding the legal distribution rights must be the one to secure the necessary statutory authorizations. Shifting this burden to the hardware manufacturer would create a legal anomaly where an entity without distribution rights is required to obtain distribution authorization.

Considering the above, the Application Provider is the only entity in the ALTD value chain that possesses the content rights, exercises editorial control, and manages the commercial carriage agreements. Therefore, the Application Provider must be designated as the primary and sole stakeholder responsible for obtaining any required authorizations for ALTD Services. TV Manufacturers and OEMs must be explicitly exempted from such authorization requirements, recognizing their status as neutral technology enablers

3. What should be the terms and conditions including fees or charges for the grant of service authorization to the application providers provisioning 'ALTD Services' in India, under the 'Television Channel Distribution Services' as recommended in Annexure-II of 'Authorization Recommendations dated 21st February 2025'? Stakeholders are requested to provide their detailed comments covering, though not limited to, the following conditions:

- a. Service Area
- b. Validity Period
- c. Eligibility Conditions
- d. Minimum Net worth

Further, what terms and conditions/obligations should be put in place for foreign entities providing 'ALTD Services' in India?

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LGEIL RESPONSE:

1. Exclusion of OEMs from the Authorization Framework: At the outset, we respectfully submit that Original Equipment Manufacturers (OEMs) do not fall under any of the three primary categories outlined in the TRAI 'Authorization Recommendations dated 21st February 2025' (i.e., 'Television Channel Broadcasting Services', 'Television Channel Distribution Services', and 'Radio Broadcasting Services').

Instead of subjecting neutral technology enablers (OEMs) to statutory authorization, regulatory compliance should be driven through robust B2B contractual frameworks. OEMs will strengthen their application onboarding contracts to ensure compliance by the Application Providers. This includes mandating authorization self-declarations from FAST partners, clearly allocating content and compliance responsibilities, and securing comprehensive legal indemnities to protect the platform and consumers.

2. Rationale for a "Light-Touch" Regulatory Approach for FAST ALTD Services: When determining the terms, conditions, fees, and net-worth requirements for Application Providers provisioning ALTD Services—particularly Free Ad-supported Streaming TV (FAST) services—the Authority must recognize the fundamental legal and operational distinctions between FAST platforms and traditional Linear TV distribution (DTH/Cable). We strongly advocate for a "light-touch" regulatory framework based on the following grounds:

- **A. Direct Consumer Benefit (Free-to-Consumer Model):** Unlike traditional Pay-TV, FAST services are provided entirely free of charge to consumers. There is no subscription revenue, direct consumer payment, or consumer grievance regarding billing. Imposing heavy regulatory fees would stifle a model that democratizes access to content and serves the public interest.
- **B. Absence of Physical Infrastructure:** Traditional DTH and Cable operators utilize scarce national resources (spectrum) or require extensive physical infrastructure (Right of Way for cable networks, satellite transponders, Set-Top Boxes). FAST platforms operate "over-the-top" via the open internet, requiring no such physical infrastructure investment. Therefore, the heavy regulatory and financial burdens placed on traditional DPOs are legally and practically unjustified for ALTD Application Providers.
- **C. Nascent Economic Scale:** The advertising-based revenue model (AVOD) of FAST services in India is currently in its nascent stages and is negligible in scale compared to traditional Pay-TV platforms and mainstream SVOD/AVOD services. High entry fees or stringent net-worth requirements would act as an artificial barrier to entry, hindering market growth and innovation.

3. Proposed Terms and Conditions for Application Providers (Including Foreign Entities) In light of the above, the terms and conditions for granting service authorization to ALTD Application Providers should be minimal, non-restrictive, and designed to foster growth:

- **Eligibility Conditions:** The eligibility criteria should be broad. The applicant must simply be a legally constituted corporate body (e.g., a Company, Limited Liability Partnership (LLP), or an equivalent legally recognized overseas entity).
- **Disqualifications:** Disqualification should be strictly limited to entities that have prior criminal convictions specifically related to content violations or broadcasting offenses under Indian law.
- **Minimum Net Worth and Fees:** Given the free-to-consumer nature of FAST services, there should be no exorbitant minimum net-worth requirements or heavy entry/license fees. Any fees levied should be purely nominal and administrative in nature.
- **Obligations for Foreign Entities:** The internet is inherently borderless, and FAST platforms operate on a global scale. Therefore, there should be **no restrictions on foreign equity or Foreign Direct Investment (FDI)** for entities providing ALTD services. Foreign entities should be permitted to operate under the same light-touch authorization framework as domestic entities, provided they furnish a legally binding undertaking to comply with Indian content codes and designate a local grievance officer to address regulatory concerns.

The regulatory framework for ALTD Services must not mirror the heavy-handed licensing regimes of traditional broadcasting. By adopting a light-touch authorization process with nominal fees, no foreign equity restrictions, and clear exemptions for OEMs, the Authority will encourage foreign investment, foster technological innovation, and maximize free content availability for Indian consumers.

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4. **What should be the common terms and conditions applicable for the authorized entities provisioning 'ALTD Services' in India, under the 'Television Channel Distribution Services' as recommended in Part-I of Annexure-III in 'Authorization Recommendations dated 21st February 2025'? Stakeholders are requested to provide their detailed comments on the following conditions:**
- a. **Renewal of Authorization**
 - b. **Renewal Fee**
 - c. **Equity Holding and Management Control**
 - d. **Restriction on cross-holding of equity shares/capital contribution between**
 - **TV broadcasters and application providers provisioning ALTD services**
 - **Application Providers provisioning ALTD services and other DSPs**
 - e. **Transfer/Surrender of Service Authorization**
 - f. **Sharing of Infrastructure**
 - g. **Any other terms and conditions**

LGEIL RESPONSE:

1. Reiteration of OEM Exemption As an extension of our submissions in Response to Question 3, we respectfully reiterate that Original Equipment Manufacturers (OEMs) and Smart TV Manufacturers act strictly as neutral technology enablers. Therefore, OEMs fall entirely outside the purview of the 'Television Channel Distribution Services' authorization framework. The terms and conditions discussed below should apply exclusively to the identifiable **Application Providers** who curate and control the ALTD Services, and under no circumstances should these obligations be extended to device manufacturers or operating system providers.

2. Proposed Common Terms and Conditions for ALTD Application Providers Consistent with our submission that Free Ad-supported Streaming TV (FAST) and ALTD services require a "light-touch" regulatory approach due to their free-to-consumer nature and lack of physical infrastructure, we propose the following legal and regulatory treatment for the specific conditions outlined by the Authority:

- **a. Renewal of Authorization & b. Renewal Fee:** Given that FAST services operate on a nascent advertising-based revenue model without direct consumer subscription fees, the renewal process should be seamless to promote the "ease of doing business." We recommend an **automatic renewal process** upon the submission of a simple compliance declaration. Any renewal fee should be strictly **nominal and administrative** in nature, avoiding the heavy financial burdens traditionally imposed on DTH or Cable operators.
- **c. Equity Holding and Management Control:** The internet is a borderless medium, and ALTD/FAST platforms operate on a global scale. To foster foreign investment and technological innovation, there should be **no restrictions or caps on foreign equity holding**. 100% Foreign Direct Investment (FDI) should be permitted under the automatic route for ALTD Application Providers, with no restrictive mandates on management control, provided the entity complies with Indian laws and designates a local grievance officer.
- **d. Restriction on Cross-holding of Equity Shares/Capital Contribution:** We strongly submit that **no cross-holding restrictions should be imposed** in the ALTD ecosystem.
 - **Between TV Broadcasters and Application Providers:** Unlike traditional distribution (Cable/DTH) where cross-holding restrictions were designed to prevent monopolies over scarce physical infrastructure (cable networks) or spectrum, the internet is an open, non-exclusive medium. Broadcasters should be freely allowed to forward-integrate and launch their own ALTD/FAST applications to maximize content reach.
 - **Between Application Providers and other DSPs:** Restricting capital contributions between digital platforms would artificially stifle market consolidation, investment, and the growth of the digital broadcasting sector.

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- **e. Transfer/Surrender of Service Authorization:** The transfer (in cases of mergers, acquisitions, or corporate restructuring) or surrender of an ALTD authorization should be governed by a **simplified intimation regime** rather than a cumbersome prior-approval process. Application Providers should only be required to notify the Authority within a stipulated timeframe, ensuring business continuity and flexibility.
- **f. Sharing of Infrastructure:** Unlike traditional DPOs, ALTD services do not rely on physical right-of-way, set-top boxes, or satellite transponders. Their "infrastructure" primarily consists of cloud servers, Content Delivery Networks (CDNs), and software playout solutions. The sharing of such digital and cloud infrastructure is a standard, global technological practice. Therefore, infrastructure sharing should be **freely permitted without any regulatory interference or mandatory reporting requirements**.
- **g. Any Other Terms and Conditions:** The regulatory framework must explicitly recognize the distinction between traditional linear TV distribution and internet-based ALTD services. Any additional terms should be strictly limited to basic content code compliance and consumer grievance redressal mechanisms (under the IT Rules, where applicable), avoiding any legacy broadcasting obligations (such as mandatory carriage, must-carry rules, or tariff regulations) which are incompatible with the FAST/ALTD business model.

In our view, the terms and conditions for ALTD authorization must reflect the realities of the open internet. By removing cross-holding restrictions, allowing unrestricted equity holding, and minimizing fees, the Authority will ensure a vibrant, competitive, and consumer-friendly digital broadcasting ecosystem, while keeping neutral hardware providers (OEMs) rightfully exempted from these licensing conditions.

5. What should be the specific terms and conditions applicable for the authorized entities provisioning 'ALTD Services' in India, under the 'Television Channel Distribution Services' as recommended in Part-II of Annexure-III in 'Authorization Recommendations dated 21st February 2025'? Stakeholders are requested to provide their detailed comments on the following conditions:

- **Reservation of operational channel capacity by Vertically Integrated Entity**
- **Platform Services (PS) offered by application providers provisioning ALTD services**
- **Monitoring and Inspection of facilities**
- **Supply of Information to Central Government/TRAI**
- **Contravention of terms and conditions of authorization**
- **Any other terms and conditions**

Further, whether the mandatory sharing of Sports Broadcasting Signals with Prasar Bharati and the compulsory transmission of certain channels as mandated for DTH, HITS and IPTV services should be made applicable to the application providers provisioning 'ALTD Services'. Stakeholders are requested to provide their comments with detailed justification on all such obligations that should be made applicable on such entities.

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LGEIL RESPONSE:

1. Fundamental Incompatibility of Legacy DTH/IPTV Obligations with ALTD Services We respectfully, yet strongly, submit that legacy distribution obligations designed specifically for DTH, Cable, and IPTV services must **NOT** be applied wholesale to ALTD and FAST (Free Ad-supported Streaming TV) services. The underlying technology, economic structure, and business models of internet-based FAST services are fundamentally distinct from traditional distribution platforms. Applying legacy broadcasting obligations to ALTD services would be disproportionate, violate the principle of technological neutrality, and severely inhibit the growth of a nascent, consumer-friendly digital medium.

2. Specific Comments on Proposed Terms and Conditions

A. Reservation of Operational Channel Capacity by Vertically Integrated Entities: Legacy rules regarding the reservation of channel capacity were formulated to prevent monopolies on platforms with scarce physical bandwidth (e.g., limited satellite transponders or cable spectrum). In stark contrast, ALTD/FAST platforms operate over the open internet, which offers **virtually unlimited channel capacity**. Because there is no technological scarcity in the ALTD ecosystem, imposing capacity reservation mandates on vertically integrated entities is legally and technically moot and should be entirely dispensed with.

B. Platform Services (PS) offered by Application Providers: Any Platform Services offered by ALTD Application Providers should be subject to a light-touch regime. Since FAST services are free to consumers and operate in a highly competitive internet ecosystem, Application Providers should have the flexibility to innovate with their PS offerings without the stringent pricing or packaging regulations applied to traditional DPOs.

C. Monitoring and Inspection of Facilities: Traditional DPOs operate centralized physical infrastructure (such as head-ends, earth stations, and physical conditional access systems) which can be physically inspected. ALTD services, however, operate via decentralized **cloud-based architectures, software payout solutions, and third-party Content Delivery Networks (CDNs)**. There is no physical broadcasting infrastructure to inspect. Therefore, physical inspection obligations are technologically obsolete in this context and should be replaced with simple, digital compliance reporting by the Application Provider.

D. Supply of Information & E. Contravention of Terms and Conditions: It is imperative that the regulatory framework clearly defines and demarcates the scope of responsibilities among Content Providers, Application Providers, and TV OEMs.

- **Apportionment of Liability:** In the event of any contravention of authorization terms, liability must fall exclusively on the specific stakeholder exercising control over the violation.
- **Safe Harbor for OEMs:** TV Manufacturers and OEMs must be granted explicit safe harbor. Because OEMs merely provide the hardware and operating system, they cannot be held legally liable for the contraventions of third-party Application Providers or Content Providers.

3. Applicability of Mandatory Obligations (Sports Signals & Compulsory Transmission)

We strongly oppose the application of mandatory sports signal sharing and compulsory transmission (must-carry) obligations to ALTD/FAST services, based on the following legal and practical justifications:

A. Mandatory Sharing of Sports Broadcasting Signals: The economic structure of FAST services (which relies entirely on free, ad-supported revenues) does not support the acquisition or distribution of premium, live sports broadcasting rights. Relevant live sports content is generally not available on FAST platforms. Mandating the sharing of sports signals on a platform model that does not commercially deal in such premium live content is practically unviable and legally disproportionate.

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B. Compulsory Transmission of Certain Channels (Must-Carry Obligations): "Must-carry" obligations were historically imposed on DTH and Cable operators because they acted as gatekeepers to the consumer's television screen via proprietary set-top boxes and limited bandwidth. ALTD services operate as applications on the open internet. Consumers can easily access mandatory channels (such as Prasar Bharati channels) through dedicated public broadcaster applications, YouTube, or terrestrial means. Forcing private, internet-based FAST Application Providers to bear the cloud hosting and CDN streaming costs for compulsory channels—without any subscription revenue to offset these costs—would be an unjust financial burden and an overreach of regulatory authority.

In view of the above, the Authority must recognize that ALTD/FAST is an internet-driven, cloud-based, and free-to-consumer ecosystem. Imposing legacy DTH/IPTV obligations—such as capacity reservations, physical inspections, and must-carry rules—is incompatible with this technology. The framework must remain light-touch, strictly apportion liability to the Application/Content Providers, and explicitly exempt neutral TV OEMs from these operational and compliance burdens

6. What type of assurance or certification mechanism should be prescribed for television manufacturers and operating system providers to ensure that applications provisioning ALTD services, (whether pre-integrated with television sets or made available for download through application stores or web platforms) are duly authorized by MIB.

LGEIL RESPONSE:

1. Proposed Mechanism: Self-Declaration and Contractual Warranty Model We respectfully submit that the most legally sound and operationally viable mechanism to ensure that applications provisioning ALTD services are duly authorized by the Ministry of Information and Broadcasting (MIB) is a **Self-Declaration and Contractual Warranty model**.

Under this framework, Television Manufacturers and Operating System (OS) providers would ensure compliance through robust Business-to-Business (B2B) app onboarding contracts. Application Providers would be required to submit a legally binding self-declaration or warranty to the OEM, certifying that they possess the requisite MIB authorizations before their app is pre-integrated or listed on the OEM's application store.

2. Rejection of Pre-Approval or Hardware-Level Certification Mandates We strongly oppose any regulatory mechanism that requires TV Manufacturers or OS providers to obtain prior regulatory approval, conduct independent legal audits, or implement technical certification blockades for ALTD applications. Such mandates would be highly detrimental for the following reasons:

- **A. Operational Impracticability:** The digital ecosystem operates on rapid, continuous deployment. Software updates, app store listings, and the onboarding or offboarding of FAST channels within those apps occur dynamically and in real-time. Mandating a pre-approval or technical certification process for TV hardware/OS providers would create severe operational bottlenecks, delaying critical software updates and stifling the "ease of doing business."
- **B. Inconsistency with Global Best Practices:** Imposing pre-approval or hardware-level certification requirements for internet-based applications would be a stark departure from established global regulatory norms. No major international jurisdiction requires TV hardware manufacturers or OS providers to act as regulatory gatekeepers or mandate pre-approval for FAST channels or OTT applications played through their devices. Global best practices rely on the direct regulation of the content/application provider.

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- **C. Preservation of Intermediary Status (Safe Harbor):** Consistent with our previous submissions, TV Manufacturers and OS providers act strictly as neutral technology enablers and intermediaries (akin to mobile app stores or web browsers). The statutory burden of obtaining and maintaining MIB authorization rests entirely with the Application Provider. Shifting the burden of enforcement or certification onto the hardware manufacturer conflates the role of the device maker with that of a regulatory enforcement agency, which is legally untenable.

3. Recommended Regulatory Approach To achieve the Authority's objective without disrupting the technology ecosystem, the regulatory framework should prescribe the following:

B2B Compliance: OEMs shall include standard clauses in their developer agreements requiring Application Providers to warrant that they hold valid MIB authorizations for ALTD services.

1. **Notice-and-Takedown Mechanism:** If the MIB or the Authority finds that an Application Provider is operating without valid authorization, the Government may issue a lawful, targeted directive to the TV Manufacturer/OS provider to delist or block the specific unauthorized application from its app store, consistent with standard intermediary guidelines.

In our view, a self-declaration and contractual warranty mechanism strikes the right legal balance. It ensures regulatory compliance by placing the onus on the responsible party (the Application Provider) while protecting neutral TV Manufacturers and OS providers from operationally impossible pre-approval mandates and unwarranted legal liabilities.

7. What kind of assurance mechanisms should be instituted to ensure that the application providers authorized for provisioning ALTD services carry only those channels which are authorized/permitted by MIB for distribution in India. What kind of penalty/disincentive/deterrent be instituted for non-compliance? Provide your comments with justification.

LGEIL RESPONSE:

LG recommends that the most effective mechanism to ensure only permitted channels are carried is to place the obligation on broadcasters:

- Each broadcaster supplying channels to an Application provider should be required to provide a declaration to the ALTD provider confirming that their channel holds all necessary MIB authorizations.
- Application provider should be able to rely on this declaration in good faith. If a broadcaster provides a false declaration, the primary liability should rest with the broadcaster, not the Application provider
- MIB to publish a regularly updated public list of channels this would be the authoritative reference for ALTD providers to cross-check.
- Application provider / OEM should conduct annual audits of channels on their platform against the MIB-published list.
- Application provider / OEM should remove channels flagged by MIB as unauthorized within agreed timeline.

1. Proposed Assurance Mechanism: Good Faith Reliance and Broadcaster Liability We respectfully submit that the most legally sound and operationally effective mechanism to ensure ALTD Application Providers carry only MIB-authorized channels is to place the statutory and contractual obligation squarely on the content originators (i.e., the Broadcasters).

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- **Mandatory Declarations:** Broadcasters supplying linear channels to an ALTD Application Provider must be required to execute a legally binding declaration and contractual warranty confirming that their channel holds all necessary and current MIB authorizations for distribution in India.
- **Good Faith Reliance & Safe Harbor:** ALTD Application Providers must be granted "safe harbor" protection. They should be legally permitted to rely on the broadcaster's declaration in good faith. If a broadcaster provides a false declaration, or if a channel's authorization is subsequently revoked without notifying the platform, the primary legal liability and regulatory penalties must rest exclusively with the Broadcaster, not the Application Provider.

2. Establishment of an Authoritative MIB Public Registry: To facilitate compliance without imposing undue investigative burdens on digital platforms, the MIB must establish and maintain a dynamic, publicly accessible, and regularly updated digital registry of all authorized channels. This centralized database would serve as the single, authoritative legal reference point for ALTD Application Providers to cross-check the authorization status of the channels they carry.

3. Compliance and Audit Framework (Notice-and-Takedown): Instead of mandating continuous, proactive monitoring—which is technologically burdensome and legally akin to censorship—the regulatory framework should adopt a standard "Notice-and-Takedown" and periodic review model:

- **Periodic Reconciliation:** Application Providers should be required to conduct periodic (e.g., annual) audits or reconciliations of the channels on their platform against the official MIB-published registry.
- **Notice-and-Takedown:** If the MIB identifies an unauthorized channel being distributed, it should issue a formal, targeted directive to the Application Provider. The Application Provider must then remove or geo-block the flagged channel within a mutually agreed, reasonable statutory timeline.

4. Reiteration of OEM Exemption (App-Level vs. Channel-Level Responsibility) It is critical to legally distinguish between the Application Provider (who curates the channels) and the TV OEM (who provides the hardware/OS).

- **No Channel-Level Policing for OEMs:** TV OEMs and Operating System providers must be strictly exempted from conducting channel-level audits. An OEM has no visibility into, or control over, the individual channels streamed within a third-party ALTD application.
- OEMs should only be subject to app-level directives (e.g., removing an entire non-compliant ALTD application from the app store upon receiving a lawful MIB order), preserving their status as neutral intermediaries.

5. Proposed Penalties, Disincentives, and Deterrents Any penal framework instituted for non-compliance must be proportionate, administrative in nature, and directed at the actual defaulting party:

- **Penalties on Broadcasters:** Severe administrative penalties (such as fines or blacklisting) should be levied against Broadcasters who falsely declare their authorization status or illegally inject unauthorized signals into the ALTD ecosystem.
- **Penalties on Application Providers:** Application Providers should only face penalties if they demonstrate willful non-compliance—specifically, if they deliberately fail to remove an unauthorized channel after receiving a formal takedown notice from the MIB, or if they fail to conduct the periodic reconciliations.
- **Nature of Penalties:** Penalties for Application Providers should be restricted to graded administrative fines or, in extreme cases of repeated willful violations, the suspension of their ALTD authorization. Criminal liability or disproportionate financial deterrents must be expressly avoided to ensure the continued growth and viability of the FAST/ALTD sector.

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8. Whether there is a need to prescribe any specific terms and conditions for value-added services offered by ALTD service providers? If yes, what should be the terms and conditions? Stakeholders are requested to provide their detailed comments with justification.

LGEIL RESPONSE:

1. Inapplicability of Traditional VAS Frameworks to FAST/ALTD Services We respectfully submit that there is **no need to prescribe specific terms and conditions** for Value-Added Services (VAS) offered by ALTD service providers. The traditional concept of VAS—as understood in the legacy DTH and Cable broadcasting sectors—is fundamentally incompatible with the Free Ad-supported Streaming TV (FAST) ecosystem.

In traditional Pay-TV distribution, VAS typically refers to premium, subscription-based add-on services (e.g., ad-free movie portals, interactive educational channels) offered by the platform operator for an additional fee. In stark contrast, FAST services are inherently **free-to-consumer** and rely entirely on an advertising-based revenue model. Because the economic model of FAST does not involve direct consumer billing or premium subscription tiers, the regulatory rationale for governing VAS (such as tariff regulation, consumer pricing protection, or specific licensing) is entirely absent.

2. Classification of Digital Features vs. Broadcasting VAS Any supplementary features offered by an ALTD Application Provider within their app (such as Video-on-Demand (VOD) libraries, interactive user interfaces, or electronic program guides) should not be legally classified as "Value-Added Services" under a broadcasting framework.

- These features are standard, internet-based software functionalities inherent to the digital OTT ecosystem.
- Subjecting these standard digital features to broadcasting VAS regulations would create regulatory overlap and confusion, as such digital functionalities are already adequately governed by the Information Technology Act, 2000, and the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

3. Preservation of a "Light-Touch" Regulatory Environment To foster innovation and technological advancement, ALTD Application Providers must be granted the flexibility to experiment with user interfaces and supplementary digital content without the burden of seeking prior approvals or adhering to rigid VAS terms and conditions. Imposing specific VAS regulations would unnecessarily complicate the ALTD framework and stifle the growth of this nascent sector.

4. Reiteration of OEM Exemption Consistent with our previous submissions, we reiterate that Television Manufacturers and Operating System (OS) providers act strictly as neutral hardware and technology enablers. OEMs do not provision ALTD services, nor do they provision broadcasting VAS. Therefore, any discussions or potential regulations regarding VAS must explicitly exclude OEMs and Smart TV manufacturers from their purview.

Given that the FAST/ALTD model is free-to-consumer and operates over the open internet, the traditional broadcasting concept of VAS is not explicitly applicable. The Authority should not be prescribing any specific terms and conditions for VAS in the ALTD ecosystem, thereby maintaining a light-touch, innovation-friendly regulatory environment.

9. Whether the broadcasters/content owners providing or intending to provide television channels on ALTD platforms operating in India be mandated to obtain authorization either for:

- **Satellite-based Broadcasting and/or**
- **Ground-based Broadcasting**

Along with its applicable terms and conditions, before entering into the agreements with authorized entities provisioning ALTD services to consumers? If yes, provide reasons with justifications.

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LGEIL RESPONSE:

1. Differentiated Approach to Channel Authorization We respectfully submit that while a structured authorization framework for content owners/broadcasters is necessary to ensure compliance, mandating traditional "Satellite-based" or "Ground-based" broadcasting authorizations for all channels on ALTD platforms would be technologically inappropriate. The regulatory framework must distinguish between (A) pre-existing licensed linear channels and (B) digital-first "FAST-only" channels.

2. Treatment of Pre-existing Licensed Channels (Simulcasts) If a television channel already holds a valid authorization from the MIB for Satellite-based or Ground-based broadcasting, it should **not be subjected to any further scrutiny, duplicate licensing, or separate authorization** for distribution on ALTD/FAST platforms.

- **Technological Neutrality:** The regulatory framework must adopt the principle of technological neutrality. If a channel is cleared for traditional broadcast, its digital simulcast over the internet does not alter the nature of the content.
- **Established Precedent:** Licensed broadcasters are already permitted to stream their live linear channels on digital OTT platforms (such as YouTube or proprietary apps) without requiring a separate "digital broadcast" license. FAST is simply another IP-based delivery medium. Therefore, an existing MIB satellite/ground license should automatically qualify the channel for ALTD distribution.

3. Treatment of "FAST-Only" (Digital-First) Channels For channels that are created exclusively for the internet/FAST ecosystem and do not have a traditional satellite or cable presence, mandating a "Satellite-based" or "Ground-based" authorization would be highly disproportionate.

- **Technological Incompatibility:** Traditional broadcasting licenses involve stringent requirements related to spectrum allocation, teleport infrastructure, and WPC (Wireless Planning and Coordination) clearances, which are entirely irrelevant to cloud-hosted, IP-delivered FAST channels.
- **Proposed Light-Touch Framework:** Instead of forcing digital-first channels into legacy licensing buckets, we strongly recommend a **light-touch, registration-based authorization framework**. Content owners of FAST-only channels should only be required to complete a simple digital registration with the MIB, undertaking compliance with the Programme and Advertising Codes and the IT Rules, 2021. This will encourage digital content innovation without imposing the heavy financial and administrative burdens of traditional broadcasting licenses.

4. Apportionment of Liability and OEM Exemption Consistent with our submissions herein above, the statutory obligation to obtain the appropriate authorization (whether a legacy license or a digital registration) must rest **exclusively with the Broadcaster or Content Owner**.

- **Application Providers:** Authorized ALTD Application Providers should be permitted to onboard these channels based on a legally binding declaration from the content owner, operating under a "safe harbor" principle.
- **OEM Exemption:** We reiterate that Television Manufacturers, Smart TV OEMs, and Operating System providers act strictly as neutral hardware/technology enablers. They must be explicitly exempted from any obligation to verify, monitor, or enforce the broadcasting authorizations of individual channels streamed within third-party ALTD applications.

We support a compliance framework where content owners hold the necessary authorizations before entering into agreements with ALTD Application Providers. However, this must be achieved by recognizing existing satellite/ground licenses for simulcasts without further scrutiny, and by creating a simplified, light-touch registration process for FAST-only channels, rather than applying legacy licensing regimes to the digital ecosystem.

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10. In view of the availability of the pay television channels on ALTD platforms, what pricing methodology should be adopted for price parity of television channels across these platforms? Please provide detailed justification for your response.

LGEIL RESPONSE:

1. Fundamental Inapplicability of "Price Parity" to FAST Services** We respectfully submit that the premise of prescribing a "pricing methodology" or mandating "price parity" is fundamentally incompatible with the ALTD/FAST ecosystem. FAST, by definition, stands for Free Ad-supported Streaming TV**. It is not a subscription-based Pay-TV model.

Because all content on FAST platforms is provided entirely free-to-view for the end consumer (monetized exclusively through advertising), there is no retail price to regulate. Applying legacy broadcasting tariff frameworks (such as the New Tariff Order - NTO) or price parity rules—which were explicitly designed to regulate subscription fees in the DTH and Cable sectors—to a 100% free digital model is legally incongruous and economically unviable.

2. Principle of Technological Neutrality and Level Playing Field The regulatory framework must evaluate ALTD/FAST services using the same benchmark applied to other internet-based digital media. Currently, many broadcasters provide replica free digital feeds of their linear "Pay" channels on open internet platforms (such as YouTube) or through their own standalone OTT applications.

- These digital simulcasts are offered to consumers for free and are governed by the IT Rules, 2021, without being subjected to traditional broadcasting price parity mandates.
- ALTD/FAST platforms operate on the exact same IP-based technological and economic principles. Mandating price parity for ALTD platforms, while other OTT platforms and standalone apps continue to stream the same channels for free, would violate the principles of a level playing field and technological neutrality.

3. Protection of Consumer Welfare The FAST model inherently champions consumer welfare and digital inclusion by democratizing access to premium television content at zero cost to the viewer. The ultimate beneficiary of this model is the Indian consumer, who gains access to high-quality programming without the financial burden of subscription fees. Imposing a "price parity" mandate would effectively force ALTD Application Providers to erect paywalls, thereby destroying the nascent FAST ecosystem, stifling digital innovation, and directly harming consumer interests.

4. Reiteration of OEM Exemption Consistent with our previous submissions, we reiterate that Television Manufacturers, Smart TV OEMs, and Operating System (OS) providers act strictly as neutral hardware and technology enablers.

- OEMs do not participate in the pricing, packaging, or monetization of the channels streamed within third-party ALTD applications.
- Therefore, any discussions, methodologies, or potential regulations regarding channel pricing or parity must explicitly exclude TV OEMs and OS providers from their purview.

Given that ALTD/FAST is an ad-supported, free-to-consumer medium, no pricing methodology or price parity rules should be adopted. The Authority should allow market forces and advertising models to dictate the digital distribution of these channels, consistent with the treatment of identical content currently available for free on YouTube and other OTT applications.

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11. What obligations are required to be specified for the authorized entities provisioning ALTD services, with respect to consumer protection and grievance redressal mechanism, considering the different modes of service access such as smart televisions, websites, mobile applications etc.? Please provide your comments with detailed justification.

LGEIL RESPONSE:

1. Proposed Framework: Tiered and Demarcated Grievance Redressal We respectfully submit that while a robust, consumer protection and grievance redressal mechanism is essential, it must accurately reflect the multi-layered architecture of the ALTD ecosystem. Unlike traditional closed-network broadcasting, the ALTD/FAST ecosystem involves multiple distinct entities (Hardware OEMs, Application Providers, and Broadcasters).

Therefore, imposing a "one-size-fits-all" or joint liability model would be legally flawed and operationally unworkable. We strongly recommend a **Tiered and Demarcated Grievance Redressal Framework**, where consumer complaints are strictly routed to the entity that exercises actual legal and operational control over the specific issue.

2. Clear Demarcation of Legal Liabilities To ensure swift resolution and prevent unwarranted litigation against neutral technology providers, the regulatory framework must mandate that ALTD applications clearly display in-app grievance redressal information that categorizes and routes complaints as follows:

- **A. Hardware, OS, and App Store Functionality → TV Manufacturers (OEMs):** The liability of the Smart TV Manufacturer or OS provider must be strictly limited to hardware defects, operating system stability, and the general availability of the application store. These aspects are already adequately governed by the Consumer Protection Act, 2019. OEMs must not be burdened with grievances occurring within a third-party application.
- **B. Content and Programming → Broadcasters / Content Owners:** Any grievances related to the actual audio-visual content (e.g., violations of the Programme Code, copyright infringement, obscenity, or age-rating disputes) must be directed exclusively to the Broadcaster or Content Owner. As the originators of the content, they bear the sole statutory liability for regulatory compliance.
- **C. Advertisements and App-Level Experience → ALTD Application Providers:** Grievances pertaining to the internal user interface of the ALTD app, streaming quality, and specifically, the insertion, frequency, and nature of advertisements (FAST monetization) must be addressed by the Application Provider. Ad-related grievances should align with the Advertising Standards Council of India (ASCI) guidelines and relevant digital advertising norms.

3. Alignment with Existing Statutory Frameworks (IT Rules, 2021) Rather than creating a parallel and redundant regulatory regime for ALTD services, the Authority should leverage the existing statutory framework. The **Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021** already prescribe a comprehensive, time-bound, three-tier grievance redressal mechanism for digital media publishers and intermediaries.

- ALTD Application Providers and Broadcasters should be mandated to appoint a Resident Grievance Officer in India and publish their contact details prominently within the app, in accordance with the IT Rules.
- This ensures defined timelines for acknowledgment and resolution without requiring new, overlapping broadcasting regulations.

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4. Reiteration of OEM Safe Harbor and Exemption Consistent with our previous submissions, we reiterate that TV Manufacturers and OS providers act strictly as neutral intermediaries.

- OEMs do not curate the channels, produce the content, or serve the advertisements within ALTD applications.
- Consequently, OEMs must be granted explicit "safe harbor" protection. They should not be designated as the primary point of contact or a centralized clearinghouse for content or ad-related consumer grievances. The legal obligation to resolve such disputes must rest entirely with the Application Provider and the Broadcaster.

We support a transparent, time-bound, India-specific grievance redressal mechanism, provided it is built on a strict demarcation of responsibilities. Mandating clear, in-app routing of complaints—Device issues to OEMs, Content issues to Broadcasters, and Ad issues to Application Providers—will ensure effective consumer protection while safeguarding neutral technology enablers from disproportionate legal liabilities.

12. With the revised guidelines now including multiple viewing platforms in audience measurement, stakeholders are requested to furnish their comments on the right methodology for integrating ALTD service data into the television ratings framework, as well as the proposed timelines for implementation, supported by detailed justifications.

LGEIL RESPONSE:

1. Strict Adherence to Data Privacy and Protection Laws We respectfully submit that any methodology proposing the integration of ALTD service data into a centralized television ratings framework must be strictly evaluated against prevailing data protection frameworks, notably the **Digital Personal Data Protection Act, 2023 (DPDPA)**.

- LG operates under stringent global and domestic data privacy policies that expressly prohibit the unauthorized sharing of user data.
- Granular viewership and usage data on smart devices are inherently linked to user profiles, IP addresses, and device identifiers. Mandating the extraction and sharing of this data with third-party rating agencies without explicit, informed, and specific user consent would expose platforms to severe legal liabilities and violate statutory privacy mandates.

2. Protection of Proprietary Business Intelligence (BI) We strongly oppose any regulatory mandate requiring the sharing of granular usage and viewership data on an open platform or with a centralized ratings body.

- In the digital ecosystem, granular viewership metrics, user engagement patterns, and platform analytics constitute highly confidential **Business Intelligence (BI) and proprietary trade secrets**.
- Forcing ALTD platforms to publicly share or integrate this commercially sensitive data into a common ratings framework would severely compromise their competitive advantage and disrupt the commercial dynamics of the digital advertising market.

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3. Sufficiency of Existing B2B Analytical Frameworks A regulatory mandate for audience measurement is unnecessary because the digital ecosystem already possesses highly accurate, built-in measurement capabilities that operate on a Business-to-Business (B2B) basis.

- In the ALTD/FAST architecture, the entire content feed is played out from the servers of the Application Provider or their designated solution partners.
- Consequently, these Application Providers already maintain highly accurate, channel-specific performance dashboards. This data is shared directly with the respective Broadcasters/Content Owners under mutually agreed, confidential B2B contractual terms. This existing server-side analytics model is highly efficient, transparent to the relevant stakeholders, and renders third-party audience measurement interventions redundant.

4. Reiteration of OEM Exemption in Audience Measurement Consistent with our previous submissions, it is imperative to legally distinguish between the Application Provider (who streams the content) and the TV OEM (who provides the hardware/OS).

- Television Manufacturers and Smart TV OS providers act strictly as neutral technology enablers. They do not host the content feeds on their servers and are not the primary custodians of the channel-specific streaming data.
- Therefore, TV OEMs must be explicitly exempted from any obligations, methodologies, or timelines related to television ratings or audience measurement frameworks. Any data-sharing arrangements (subject to privacy laws and commercial agreements) must be strictly between the Application Provider and the Broadcaster.

Given the severe legal constraints regarding data privacy and the proprietary nature of Business Intelligence, we recommend that the integration of ALTD data into any television ratings framework remain **strictly voluntary and market-driven**, rather than being a regulatory mandate. Consequently, prescribing a standardized methodology or statutory timeline for implementation is neither legally viable nor commercially appropriate for the ALTD ecosystem.

13. Under the revised guidelines, television distribution platforms and/or OTT platforms may publish periodic viewership data of broadcasters/channels they carry on their platforms and/or on their websites, without prior registration. In this context, stakeholders are invited to provide their comments on how such an enablement can be aligned with the proposed authorization framework for application providers provisioning ALTD services, along with any related considerations.

LGEIL RESPONSE:

1. Reiteration of Stance on Viewership Data (Alignment with Question 12) We respectfully submit that our position regarding the publication of viewership data by ALTD platforms is intrinsically linked to our detailed submissions in Response to Question 12. While we note the revised guidelines enabling platforms to publish periodic viewership data without prior registration, we strongly urge that such an enablement must remain **strictly voluntary and market-driven**. It must not be transformed into a mandatory compliance condition under the proposed ALTD authorization framework.

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2. Protection of Proprietary Business Intelligence (BI) Integrating data publication requirements into an authorization framework would be commercially detrimental.

- Granular viewership metrics, user engagement patterns, and platform analytics constitute highly confidential **Business Intelligence (BI) and proprietary trade secrets**.
- ALTD Application Providers should retain the absolute right to decide whether to publish this data publicly or keep it confidential. Making the publication of such data a prerequisite or an ongoing obligation for ALTD authorization would severely compromise the competitive advantage of platforms and disrupt the digital advertising market.

3. Sufficiency of Existing B2B Contractual Frameworks The ALTD ecosystem already operates on highly efficient, server-side analytics. Application Providers and their solution partners maintain channel-specific performance dashboards, and this data is shared directly with Broadcasters/Content Owners based on mutually agreed, confidential Business-to-Business (B2B) contracts.

- Because this B2B mechanism already ensures transparency between the relevant commercial parties, there is no legal or regulatory necessity to mandate public disclosure or align it with a statutory authorization framework.

4. Strict Adherence to Data Privacy Laws (DPDPA, 2023) Any enablement to publish viewership data must be strictly subject to the **Digital Personal Data Protection Act, 2023 (DPDPA)**.

- LG operates under stringent privacy policies that prohibit the unauthorized sharing of user data.
- If an Application Provider chooses to voluntarily publish viewership data, the authorization framework must clarify that such data must be strictly aggregated and anonymized. Regulatory frameworks cannot mandate data sharing that could potentially expose platforms to legal liabilities under prevailing privacy laws.

5. Reiteration of OEM Exemption Consistent with our previous submissions, the regulatory framework must legally distinguish between the Application Provider (who streams the content and holds the server-side data) and the TV OEM (who provides the hardware/OS).

- Television Manufacturers and Smart TV OS providers act strictly as neutral technology enablers. They do not host the content feeds and are not the custodians of channel-specific viewership data.
- Therefore, any guidelines, enablements, or authorization conditions regarding the publication of viewership data must explicitly exclude TV OEMs and OS providers from their purview.

The proposed authorization framework for ALTD Application Providers should not include any mandatory obligations to publish or integrate viewership data, thereby protecting proprietary Business Intelligence, ensuring compliance with data privacy laws, and safeguarding neutral OEMs.

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14. Considering the scenario wherein application providers provisioning ALTD services may adopt a hybrid business model offering free and/or paid services, stakeholder comments are invited on how such services should be subject to the regulatory framework, particularly with respect to tariff, interconnection and quality of service aspects. Please provide your comments with justification.

LGEIL RESPONSE:

1. Fundamental Distinction between FAST and Pay-TV Models We respectfully submit that the concept of a "hybrid" model inherently blends two distinct digital economies: Free Ad-supported Streaming TV (FAST) and Subscription Video on Demand (SVOD) / Pay-TV.

- The foundational principle of FAST is that it is entirely free-to-view for the consumer, monetized exclusively through advertising.
- Applying a uniform regulatory framework across a hybrid model would be legally and economically flawed. We strongly recommend a **bifurcated regulatory approach**, where regulatory obligations are strictly contingent upon the specific monetization model of the tier in question.

2. Inapplicability of Tariff and Interconnection Rules to the "Free" Tier: For the free, ad-supported tier of any hybrid ALTD application, legacy broadcasting regulations regarding tariffs and interconnection must remain entirely inapplicable.

- **Tariff:** Statutory tariff frameworks (such as the New Tariff Order) were explicitly designed to regulate consumer subscription fees and protect viewers from arbitrary pricing. Where the service is offered at zero cost to the consumer, there is no retail price to regulate.
- **Interconnection:** Interconnection regulations govern revenue sharing and carriage fees in closed-network Pay-TV ecosystems. In the open-internet FAST model, these commercial arrangements are driven by ad-revenue sharing and should remain governed by mutually agreed, private Business-to-Business (B2B) contracts, free from regulatory intervention.

3. Triggering of Regulatory Obligations (The "Paid" Tier): Regulatory obligations should only evolve and be triggered when direct consumer monetization (i.e., subscription fees or paywalls) begins.

- If an ALTD Application Provider chooses to offer a premium "Paid" tier, only that specific subscription-based segment should be evaluated for compliance with relevant tariff or interconnection frameworks, ensuring a level playing field with traditional Pay-TV operators.
- The free tier must remain insulated from these obligations to protect consumer welfare and digital inclusion.

4. Quality of Service (QoS) in an IP-Delivered Ecosystem Prescribing rigid Quality of Service (QoS) mandates for ALTD services—whether free or paid—is technologically inappropriate.

- Unlike traditional satellite or cable broadcasting, ALTD services are delivered over the open internet (Over-The-Top). The actual QoS (buffering, resolution, latency) is heavily dependent on the consumer's independent Internet Service Provider (ISP) bandwidth and local network conditions, which are beyond the control of the Application Provider.
- Therefore, QoS should be left to market forces, as platforms are already commercially incentivized to provide the best possible viewing experience to retain users and ad revenues.

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5. Reiteration of OEM Safe Harbor and Exemption Consistent with our previous submissions, the regulatory framework must legally distinguish between the Application Provider (who determines the business model) and the TV OEM (who provides the hardware/OS).

- Whether an ALTD application operates on a free, paid, or hybrid model, Television Manufacturers and Smart TV OS providers act strictly as neutral technology enablers.
- OEMs do not set tariffs, collect subscription fees, or negotiate interconnection agreements for third-party content. Consequently, TV OEMs must be explicitly exempted from any tariff, interconnection, or QoS regulations proposed for hybrid ALTD services.

We recommend that the regulatory framework strictly separate the free and paid tiers of hybrid ALTD services. The FAST (free) tier must remain unregulated regarding tariffs and interconnection, as its very existence relies on ad-revenue generation rather than consumer subscriptions. Regulatory obligations should only be triggered for the paid/subscription tiers, while explicitly exempting neutral TV OEMs from all such mandates.

15. Whether there are other issues (such as channel positioning on home screen, EPGs, revenue sharing, interconnection agreements including marketing and placement agreements, etc.), not specifically covered in this consultation paper, which may be relevant for consideration while formulating the regulatory framework for ALTD services? Stakeholders are also requested to share relevant international best practices or regulatory approaches, if any, along with appropriate justification.

LGEIL RESPONSE:

1. Treatment of "Other Issues" (EPG, Channel Positioning, and Revenue Sharing) We respectfully submit that operational and commercial aspects such as Electronic Programming Guides (EPGs), channel positioning on the home screen, revenue sharing, and marketing/placement agreements should remain strictly outside the purview of regulatory intervention.

- **UI/UX and Innovation:** Channel positioning and EPGs on Smart TVs and ALTD applications are dynamic, user-centric interfaces driven by algorithms, consumer preferences, and technological innovation. Regulating these aspects would stifle UI/UX advancements and degrade the consumer experience.
- **Commercial Autonomy:** Revenue sharing, marketing, and placement agreements are purely commercial arrangements governed by private Business-to-Business (B2B) contracts between Application Providers, Broadcasters, and OS platforms. These should be left entirely to market forces, consistent with the broader OTT and digital media ecosystem.

2. International Best Practices and Global Regulatory Mapping In formulating a regulatory framework for ALTD/FAST services, it is imperative to align with global best practices. As the FAST ecosystem is already highly evolved in jurisdictions like the US and the EU, a legal mapping of these territories reveals a universal consensus: **No major jurisdiction treats TV Manufacturers (OEMs) or hardware providers as "broadcasters" or "distribution platforms" by default.** Globally, regulations strictly target the FAST service operator (the application/platform provider) who exercises editorial control, not the neutral OEM hardware.

Global regulatory approaches can be categorized into three broad models:



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A. The Unregulated / Light-Touch Model (US, LATAM, parts of Asia): In the United States and Latin America, FAST services are treated similarly to other Over-The-Top (OTT) internet services. They remain largely unregulated, allowing market forces, ad-supported models, and private B2B contracts to drive explosive growth and consumer adoption. Hardware OEMs are strictly viewed as technology enablers with no broadcasting liabilities.

B. The Audiovisual Media Services (AVMS) Model (European Union): The EU regulates FAST services under the Audiovisual Media Services Directive (AVMSD). Crucially, the AVMSD applies only to entities that have "editorial responsibility" over the choice of audiovisual content. TV Manufacturers and OS providers are explicitly excluded from this definition, as they act merely as conduits or hardware interfaces, not media service providers.

C. The Emerging Parity Model (United Kingdom): The UK is currently transitioning its regulatory framework (via the Media Bill) to bring certain internet-based TV services under the jurisdiction of Ofcom. However, even in this evolving framework, the legal distinction between the content provider/app operator and the underlying hardware device remains intact.

3. Application to the Indian Context We note that the Authority's current direction appears to be exploring a structured framework closer to the EU (AVMSD) or UK path, rather than the completely unregulated US model.

- If India chooses to adopt a framework akin to the EU's AVMSD, it is legally imperative that the Authority also adopts the corresponding **statutory exemptions and safe harbors** inherent in those global frameworks.
- Any Indian regulation must explicitly define "editorial control" and ensure that regulatory obligations (whether related to content, tariffs, or grievance redressal) fall solely on the Broadcaster and the ALTD Application Provider.

We strongly urge the Authority to leave UI/UX features (EPGs, positioning) and commercial agreements (revenue sharing) to market forces. Furthermore, in aligning with international best practices, the regulatory framework must unequivocally recognize that TV Manufacturers and Smart TV OS providers are neutral hardware/technology enablers. They must be explicitly exempted from any broadcasting, distribution, or ALTD-specific regulatory obligations.

Authorized Signatory

For LG Electronics India Limited