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Subject: Response to the counter comments on Consultation Paper on Technical Interoperability of DTH Set Top Boxes dated 20th August, 2010

Dear Sir,

We welcome the opportunity to respond to the Telecom Regulatory Authority of India's (TRAI) Counter comments Consultation Paper on "Technical Interoperability of DTH Set Top Boxes" We thank TRAI for this consultation paper which will help address the consumer redressal concerns in India.

Please find our response to the consultation paper.

We would like to participate in any further opportunity to discuss these issues and looking forward to the new consultation papers.

Yours Sincerely,

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Please note that the views presented below are solely of the students and not of the Institute.

3.1 Is it possible to have an Open Architecture based Set Top Box (STB) for DTH services that could ensure technical interoperability i.e. technical compatibility and effective interoperability among different DTH operators who have adopted same or different standards?

Ans: Yes, it is possible to have open architecture based Set top Box (STB) for DTH services that could ensure technical interoperability i.e. technical compatibility and effective interoperability among different DTH operators who have adopted same or different standards.

3.2 If yes, how can the interoperability be implemented and what would be the implications to the stakeholders?

Ans: Interoperability can be implemented by making the set top boxes along with the remaining Customer Premises Equipment (CPE) available in the open market to the subscribers. These set top boxes would have the CI slot into which the subscriber can insert the CAM of any operator. Once the subscriber purchases the CPE from the market and installs it at his premises, he then approaches the DTH operator of his choice for the CAM. The customer here should have an option to either buy the CAM or to rent it for a fixed monthly EMI. After acquiring the CAM from the DTH operator and putting it into the slot present on the STB, services of the particular DTH operator commence.

As far as the issue of the EPG (Electronic Program Guide) is concerned, technical guidelines should be in place which would make the STB technically compatible to offer the EPG of any DTH operator with the existing CAM. For existing subscribers, we can offer commercial interoperability by giving them an option to give back their STBs to the operators for a pre defined refund amount. This can be facilitated by setting up a third party neutral body (on similar lines as the Mobile Clearing House ie. MCH that is in place for MNP) which would handle any disparities or conflicts that may arise in the implementation of the process and maintain records and ensure settlement of payment between operators and also between customers and operators. The costs incurred for this third party body would be borne by the government.

Implications on Consumers:-

It would enable the subscriber to switch to better service provider depending on Quality of Service and Value added services on offer. It would also encourage competition in the market thereby reducing the cost which is in the interest of the consumers. This would provide flexibility of choosing from available multiple options which in turn will boost the confidence level. It would be beneficial in the long run even though the initial cost incurred might be on the higher side.

Implications on Industry:-

Interoperability would impact DTH operators differently depending on the technology used by them and time of entry into the Indian market. Interoperability would be an opportunity for the comparatively newer players to entice the existing DTH subscribers by focussing on quality and at the same time DTH Operators would not be able to lock in subscribers solely on the basis of STBs.

Implications on Government:-

TRAI's motive to offer better service at lesser cost is achieved by providing the option of switching the DTH operator. This would also ensure competition in the market and enforce the operators to provide better quality of services. This would also help as a counter argument for cases registered against DTH operator by the Competition Commission of India (CCI). Competition watchdog CCI had issue show-cause notices to leading DTH operators for abusing their dominant market position and not allowing users to change the operator, while retaining the hardware cost at about Rs 4,000.

3.3 Is there a need to mandate any particular standard so that the objectives of technical interoperability can be achieved? If so, which standard?

Ans: No, there is no need to mandate any particular standard to achieve the objectives of technical interoperability. Enforcing a stipulated standard or technology may lead to increase in the price level for STB and lead to higher cost for the end consumers, this would lead to negative image in the minds of the target audience and may also effect the overall interest of the customers towards the service providers.

Instead there should be a mandate in place to facilitate the availability of the EPG service on the STBs purchased from the open market. This would enable the subscribers to avail all the services of the DTH operator that he opts for. These would include the Value Added Services (VAS) that are unique to a particular DTH operator.

3.4 If technical interoperability for STB is not possible, is there any other mechanism to safeguard the interests of the subscribers.

Ans: No Comments

3.5 Any other relevant issue that you may like to mention or comment upon.

Ans: Following issues should be considered by TRAI in future:-

- DTH licence regulation in India mandated the use of open architecture STBs , every operator who applied for those licences knew that very well, TRAI must explain or ask, why they were not followed in the first place. TRAI can also consider the opinions of CCI for checking on the operations of violating the competition rules.
- Most channels we watch everyday are FTA channels from C-BAND transponders of various satellites, All boxes can tune these channels, But then every DTH operator has blocked the entire tuning facility of the STBs, the regulatory body can look into this matter.
- Every STB in the market today is very well capable of tuning broadcast from DD-Direct+, it can be seen that these boxes are deliberately locked and customers are blocked from watching the DD-Direct+ channels, so since there is no interoperability issue with DD-Direct+, why is traai not asking the DTH operators to unblock those STBs, Especially when there is clear provision in the 2007 regulation that the boxes shall not be blocked.
- Quality of Services parameters defined for the DTH services in India needs to improve with better customer grievances addressing methods to be put up in place for faster and convenient settlement of complaints and issues so that the overall interest of the customers are not affected and they have positive image towards the DTH service providers