

TELECOM REGULATORY AUTHORITY OF INDIA

Telecom Regulatory Authority of India (TRAI) prescribes formats for interconnection agreement between Multi System Operator (MSO) and Local Cable Operator (LCO) for provisioning of cable TV services through Digital Addressable Systems (DAS)

New Delhi, 15th March 2016:- TRAI today issued the Telecommunication (Broadcasting and Cable Services) Interconnection (Digital Addressable Cable Television Systems) (Seventh Amendment) Regulations, 2016 (3 of 2016) prescribing formats of the Model Interconnection Agreement (MIA) and Standard Interconnection Agreement (SIA) to be signed between MSO and LCO for provisioning of cable TV services through Digital Addressable Systems (DAS).

2. Earlier, in the year 2012, the Authority notified a comprehensive regulatory framework for DAS encompassing the interconnection regulation, the quality of service regulation, the tariff order and the consumer complaint redressal regulation. The interconnection regulation for DAS prescribes that MSO & LCO shall enter into a written interconnection agreement before provisioning of cable TV services to the subscribers. It is mandated that the interconnection agreement between MSO and LCO shall clearly earmark the roles and responsibilities in conformance to the quality of service regulations issued by the Authority from time to time. However, the Authority, while notifying the comprehensive regulatory framework for DAS did not notify any format specifying the terms and conditions for interconnection agreement as there could be various ways in which MSO and LCO can share the responsibilities in the interconnection agreement.



3. TRAI received a large number of complaints regarding various issues in signing of the interconnection agreement between MSO and LCO. On one end, the LCOs represented that the terms and conditions of draft agreements offered by MSOs are one sided and do not provide a level playing field. On the other end, the MSOs indicated that the LCOs are not willing to follow the terms and conditions of interconnection agreement already executed between them. It was noticed that the roles and responsibilities of MSO and LCO for meeting the quality of service norms as prescribed in the QoS Regulations 2012, were not clearly defined in the interconnection agreement signed by them; due to which, in the event of any dispute between them the quality of service delivered to the consumers gets adversely affected.

4. In view of above, the Authority decided to prescribe the terms and conditions for interconnection agreement in such a way that it addresses the various concerns of the stakeholders as well as it provide enough flexibility for accommodating various plausible business models between MSO and LCO.

5. A comprehensive consultation process was carried out by the Authority to address the issue. After due consultation process, the Authority has notified the Telecommunication (Broadcasting and Cable Services) Interconnection (Digital Addressable Cable Television Systems) (Seventh Amendment) Regulations, 2016 (3 of 2016) incorporating the provisions of the MIA and SIA. The framework envisages that MSO and LCO may enter into an interconnection agreement on lines of the MIA, or by signing the agreement strictly in terms of the SIA. The flexibility has been provided to the parties entering into the interconnection agreement on lines of MIA. They have the flexibility to modify clauses 10, 11 and 12 of the MIA through mutual agreement without altering or deleting any other clause of MIA. They also have a freedom to add additional clauses through mutual agreement to the MIA for stipulating any additional conditions. However it has been mandated that the parties shall ensure that no such addition shall have the



effect of diluting any of the conditions laid down in the MIA. If the parties decide to enter into interconnection agreement on the terms of SIA, no addition, alteration and deletion of the clauses provided therein is allowed.

6. The Authority is of the view that the prescription of formats of MIA and SIA will pave the way for growth of the sector, result in reduction of disputes between the MSOs and LCOs, provide level playing field to the parties and increase healthy competition in the sector which ultimately will help in better quality of services to the subscribers.

7. The full text of the Regulation is available on TRAI's website www.trai.gov.in. For any further clarification please contact Sh. Sunil Kumar Singhal, Advisor (B&CS) on sksinghal@trai.gov.in or on 011-23221509.



(Sudhir Gupta)
Secretary