

RESPONSE BY SITI CABLE NETWORK LIMITED

With reference to

Consultation paper on Issues related to Quality of Services in Digital Addressable Systems and Consumer Protection

At the outset we would like to congratulate the Authority for the hard work and efforts being put in to streamline the Broadcasting and Cable TV Sector in the country. The Authority has put in sincere effort on various Consultation Papers, covering most of the aspect of the Sector in the recent times and has taken care the interest of all the stake holders. We hope that the Authority will keep this momentum and ensure the growth of this sector in the country.

The Authority had issued “Standards of Quality of Service (Digital Addressable Cable TV Systems) Regulations, 2012 and the “Consumers Complaint Redressal (Digital Addressable Cable TV Systems) Regulations, 2012 on 14th May, 2012. The said regulations were framed at the time of introduction of DAS in the country and many provisions in the said QoS are either very difficult to comply with or are not feasible due to the changes in other regulations. Hence it is the right time to review the existing regulations and changes required in the regulations in view of the changed environment.

Our response to the present consultation is as below;

Q1. What should be broad contours for QoS Regulatory framework for digital addressable systems? Please furnish your comments with justification.

Response: The authority has already prescribed provisions for QoS to be complied with by MSOs or LCOs vide “Standards of Quality of Service (Digital Addressable Cable TV Systems) Regulations, 2012 and the “Consumers Complaint Redressal (Digital Addressable Cable TV Systems) Regulations, 2012 on 14th May, 2012. The broad contours are covered in the same however at present regulations are different for DPOs and the same should be uniformly applicable to all digital addressable platforms. For DAS Phase-I and II cities, MSOs are required to submit Performance Monitoring Report (PMR) on monthly basis which is as per contours of QoS in DAS.

Q2. Should there be a uniform regulatory framework for Quality of service and Consumer protection across all digital addressable Platforms? Please provide your comments with justification.

Response: Though from the perspective of consumer protection the regulatory framework for the Quality of Service should remain same still the compliance of the regulations should be based on the business model of the DPOs. DTH and IPTV which are providing services to the consumers directly have different business models and different statutory frameworks whereas MSOs and HITS operators are providing their services to the consumer through LCOs who are again registered service providers. In the case of DTH and IPTV, they are directly responsible for the quality of service being provided to the consumers where as in the

case of MSO and HITS, the LCOs are providing service to the end consumer hence the responsibility of end service to the consumer is with the LCOs, which has been now clearly defined by TRAI in Interconnect Regulations with regard to Model Interconnect Agreement / Standard Interconnect Agreement.

Q3. Should timelines relating to various activities to get new connect be left to the DPOs to be transparently declared to the subscribers? If so, how the interest of the subscriber can be protected if the connection is not provided in given time frame?

Response: Yes. The timeline for providing their services should be left with the DPOs. Consumer have various options to choose from and incase such services and timelines are not met by the service providers. Consumer has plenty of service providers to choose from.

Q4. What should be the time limits for various activities, as mentioned below, to get new connection? Please provide your comments with justification.

- (a) Response time for processing new service request and conveying feasibility of providing connection at the desired location**

Response:

Though there is no requirement of fixing such response time for processing new service request, normally the same should be done within 48 hours, if feasible.

(b) Time line for completion of CAF, installation and activation of service

Response:

The filling of CAF should be made on line with option of English, Hindi and local language and the requirement of physical CAF should be done away with. The time line for the installation and activation should be maximum 72 hours for all DPOs. In any case it is a linear service without any encumbrance of two-way network which can be prone to misuse.

Q5. Should minimum essential information to be included in the CAF be mandated through regulations to maintain basic uniformity? Give your suggestions with justification.

Response: No. As mentioned above the requirement of physical CAF should be abolished. The common field for the consumer information can be made mandatory in the SMS e.g.

1. Name of Subscriber
2. Address
3. Mobile no. (Registered Mobile No.)
4. Mail ID
5. STB and VC No.
6. STB Scheme
7. Package / Channel choice

Q6. Should minimum font size need to be specified for CAF? If not, how can it be ensured that important information provided in CAF is given in such a manner that consumer can read them easily?

Response: As mentioned above, the requirement of physical CAF should be abolished and such important information should be made available on the website of the DPO for the information of subscriber. This will save lot of papers and trees also.

Q7. Should use of e-CAF be facilitated, encouraged or mandated? Please provide your comments with justification.

Response: The use of e-CAF should be mandatory and the use of physical CAF should be discouraged. KYC documents should be uploaded along with e-CAF.

Use of physical paper for this purpose is not eco-friendly and adds to depletion of trees and adversely affect environment. Other services like Air Ticketing and Train Ticketing etc. have already moved to paperless system. As a ballpark figure, 1 ream (500 sheets) uses 6% of a tree, thereby put together CAF/MOP/Manual etc. would use appx. 10 sheet in minimum font. Thus for every 800 subscribers a tree would be cut. You can very well estimate the loss to the environment in case we continue to use paper for such usage which can be well managed in electronic format.

In case of amendment in the name, address, phone no. or any other details, retrieval of old CAF, amendment in the same or replacement with

new CAF and archiving the same again is a cumbersome process, hence physical CAF should be discouraged.

Storage of such physical CAF is another issue, which need proper filing and retrieval system and a lot of space, hence physical CAF should be discouraged.

Q8. Should the minimum essential information to be included in the MOP be mandated through regulations to maintain basic uniformity and to ensure that consumers get all relevant information about the services being subscribed?

Response: Yes. The DAS regulations in this respect are already there which are sufficient and the same should be mandated across all DPOs.

Q9. What should be the minimum information to be included in MOP Give details with justification?

Response: The DAS regulations in this respect are already there which are sufficient and the same should be mandated across all DPOs. The format as given in the Annexure-IV of this consultation paper is sufficient.

Q10. Should it be necessary to provide printed copy of MOP to all the customers at the time of subscription to the service? If not, how it can be ensured that all required information is available to subscribers when required?

Response: No. Printing of MOP should not be mandatory for the service providers and the same should be made available on their website at a prominent place, which should be easily accessible to the consumers as and when required for. While submitting the e-CAF, a disclaimer can be added that subscriber has read and understood the terms and conditions in the MOP.

Q11. Should there be an initial subscription period while providing a new connection to protect the interest of both the subscriber as well as DPOs?

Response: Yes.

Q12. If so, what should be the duration of such initial subscription period?

Response: One month

Q13. What protections should be provided to subscribers and DPOs during initial subscription period? Give details with justification?

Response: Protection should be given for prepaid subscribers for the period for which payment has been made by the subscriber in advance.

Q 14. What should be the framework for compensation to the subscriber for dropping of a channel due to its non-availability on the DPOs' platform?

Q 15. How should the reduction in subscription charges be calculated in case of discontinuation of channel from DPOs platform? Please provide your comments along with justification.

Response for Q14 & Q15: As the package price of the DPOs are averagely one third of the A La Carte price of the individual channels, compensation on the A La Carte price will be highly unfavorable to the DPOs, it should be mandatory for the DPOs to provide another channel of the same genre of appx. same A La Carte price. In case the MSO is not able to provide such alternative channel then the same can be calculated on the following formula

A La Carte Price of Channel x (Price of package/Sum of A La Carte rate of all channels in package)

For example there are 10 channels in a package which is priced at Rs. 30 and A La Carte sum of these 10 channels is Rs.90. A La Carte rate of dropped channel is Rs.15 then it will be calculated as below

$$15 \times 30 / 90 = \text{Rs. } 5$$

Q16. What should the maximum permissible time of disruption beyond which subscriber must be compensated in following cases?

- (a) Disruption due to technical fault on the DPO network or at the subscriber's end**

Response :

24 hours

(b) Disruption due to technical fault of CPE at the subscriber's end

Response:

24 business hours as it takes that much time for repair of CPE. In any case service CPE have been for such eventuality.

Q17. What should be the duration of disruption in service warranting compensation to the consumer and how the compensation should be calculated in following cases?

(a) Continued Disruption due to technical fault on the DPO network at the subscriber's end beyond the pre specified time.

Response:

24 hours. As the service disruption is a loss to the DPO/LCO as well, the subscriber should be compensated proportionate to the billing amount for the time service is not there. In case of fault in LCO network the cost should be borne by LCO however, in case of service disruption in DPOs network, the cost can be borne by the DPO.

(b) Continued Disruption due to technical fault of CPE at the subscriber's end beyond the pre specified time.

Response:

24 business hours as it takes time for repair of CPE. The subscriber should be compensated by proportionate to the billing amount

for the time service is not availed by the subscriber or service STB is not provided.

Q18. What should be the framework and terms and conditions for shifting of connection including timelines in respect of PAN India DPOs where provision of connection at new location is feasible?

Response: It should be left out to the DPOs to specify the terms and conditions for shifting of connection including time line as it is a complex issue and in the case of MSO and HITS it also involve the concerned LCOs through whom the subscriber is availing the services. In such a case NOC from the previous LCO remain an issue and subscribers do not clear their old outstanding when they shift to the other location. It is always in the interest of DPO to provide service to such subscribers and it should be left to the service providers to define such terms and conditions.

Q19. Is there a need to prescribe procedure for transfer of the TV connection? If so, what should the procedure, terms and conditions for transfer of services connection and timelines?

Response: No.

Q20. What should be the framework to address the concerns of stakeholders (Subscribers and DPOs) relating to temporary suspension of service?

Response: In the interest of subscribers and consumer, the minimum suspension period should be fixed to minimum one month with an advance notice of 15 days.

Q21. How issue of abrupt closure of service due to non payment can be addressed while protecting the interest of subscribers and DPOs?

Response: In case of non payment by the subscriber after the due dates, the DPO/MSO/LCO should be allowed to disconnect the signal after 3 days scroll notice to the subscriber.

Q22. Is gradual closure of service as discussed in para 8.23 is a feasible option? If so what should be procedure and the framework?

Response: No. As statutory payments like service tax and entertainment tax are also involved hence any gradual closure will put additional burden on the DPO.

Q23. What should the procedure and timeframe to inform the subscriber regarding closure of service due to closure of business?

Response: In the case of closure of business by a DPO one month notice to the subscriber by scroll should be sufficient. Notice to LCOs should be as per agreement terms.

Q24. Why uptake of mandated schemes for set top box (Outright purchase, Hire purchase, and on rent) is so low at present? How consumer awareness on these issues can be increased?

Response: The schemes being offered by DPOs/MSOs are more cost effective to the subscribers and more over they do not need to spend extra money on monthly rent of the set top box which increase their monthly spend on TV viewing. Consumer awareness on the schemes can be done by advertisement on the local channels of MSO and newspaper advertisement.

Q25. What should be the consumer friendly common framework of CPE Schemes for providing CPE to consumers in digital addressable system? Please provide your comments with justification?

Response: There is no requirement for a common framework of CPE Schemes for providing CPE to consumers and the same should be under forbearance. It is important to note that most MSOs/DPOs are offering better schemes hence there is no regulatory requirement.

Q26. What should be minimum essential information related to a CPE scheme that must be made available to the consumers to safeguard their interests? Please provide your comments with justification.

Response: The essential information related to CPE that must be made available to the consumers is as under:

1. Cost of the Scheme
2. Guarantee/ Warranty Period of the CPE
3. AMC Charges
4. CPE Return policy

Q27. What measures may be adopted to ensure availability of good quality CPE to consumers?

Response: The standard for CPE set by BIS are sufficient in this regard.

Q28. Should any charges such as visit charges, etc. be charged from the subscribers during guarantee-warranty period?

Response: No.

Q29. What should be provisions for maintenance of CPE after the expiry of guarantee- warranty period?

Response: The repair and maintenance of the CPE beyond guarantee-warranty period should be left to the market forces as market forces are sufficiently capable of handling such issues.

Q30. What should be the simplified provisions for surrender of CPE in case of closure of service by the subscribers in order to protect their interest?

Response: The DPO should publish the procedure of surrender of CPE along with the STB scheme at the time of the same being opted by the subscriber and the same should also be published by the DPO on its website.

Q 31. Please suggest the standards and essential technical parameters for ensuring good quality of service for the following digital addressable platforms:

- a). Digital Cable TV**
- b). DTH**
- c). HITS**
- d). IPTV**

Response: The existing standards and essential technical parameters for ensuring good quality of service for Digital Cable TV are sufficient and there is no need to modify the same. All DPOs and more particular MSOs have invested huge sums of money to set-up their infrastructure to comply with the existing technical specifications and any change in the technical specifications would result in further expenditure to upgrade their infrastructure. Most MSOs are already suffering huge losses due to the huge investments made for digitalization and any change in the existing technical specification would not only additionally burden them but for most of the independent MSOs it would be difficult to survive.

Q32. What are the different methods to effectively increase consumer awareness?

Response: Methods for increasing consumer awareness:

1. Advertisement on channels by broadcasters at prime time.
2. Running scroll message by DPOs on their channel
3. MSO's Website
4. TRAI has conducted effective consumer outreach programs which can be further increased

Q33. How consumer related information can be effectively provided to Subscribers through DPO website. What minimum information should be provided through consumer corner?

Response: It is mandatory for the DPOs/MSOs to have their website and provide all such information at the prominent place in the website which should be visible and accessible to the subscribers when they visit website of the DPOs. Common information is already available on the digitalindiamib site of Ministry of Information & Broadcasting which should be regularly updated. Link to MSO's website can also be provided in the same site. Consumer related all information like MOP, Consumer Charter, CPE Schemes, Customer Complaint Redressal Mechanism, Toll Free No. etc. should be prominently displayed on the website in the consumer corner.

Q34. Can outsourcing to the third party for various web based operations be permitted especially for smaller DPOs? If yes, what precautions are taken to ensure that such provisions are not misused?

Response: Yes. It can be done so provided all mandatory requirement are met with. This will help the smaller MSOs to save on such cost.

Q35. In case of the use of "In Channel" communication means, what should the guidelines for running scrolls or other onscreen displays, so that it does not impact the viewing experience?

Response: The scrolls should be permitted in the bottom which should not impact the viewing experience.

Q36. What options can be used for verifiability of subscriber communications for any change in service or provision of additional service?

Response: The following options can be used of verifiability of subscriber communications:

1. Registered Mobile Number
2. Registered Email Address
3. OTP on the Registered Mobile Number

Q37. What should be the duration to preserve such verifiable subscriber communications requesting change in service or provision of additional services at DPO level?

Response: The minimum time period for which such data should be preserved should be 6 months. As any complaint with regard to such change will be immediately after change and will not take more than 6 month time.

Q38. What should be optimal number of channel packages which meets the subscriber demand and are well understood by the subscribers?

Response: There is no need to cap the optimal number of channel packages and the same should be left to the DPOs to decide their own packaging. MSOs can make different packages based on the regional and

popular demand in various areas with different composition and pricing and any cap on this will adversely impact their ability to provide different packages to subscribers of different taste/genre/region etc.

Q39. How the package offerings can be improved in case of cable TV services so that effective choice is made available to the consumers?

Response: As per the regulatory provisions, all DPOs have to compulsorily declare A La Carte rates of all the channels available on the platform of DPO hence the option of effective choice is available to the consumers.

Q40. Whether the choice of Pre or Post paid method should be mandatorily made available to the subscribers?

Response: No.

It should be compulsory pre-paid for subscribers.

Q41. What should be the essential information contained in the monthly Bill/ Usage details to be provided to subscribers in post paid or pre-paid system?

Response: The following essential information in the monthly bill/ usage details should be provided to subscribers:

1. Details of channels/packages subscribed by the subscriber.
2. Details of charges for subscribed channels/packages
3. Taxes details

Q42. Should pre-paid method is encouraged in case of cable TV services provided through LCOs? Support your comments with justification.

Response: Yes, the pre-paid method must be made mandatory in case of cable TV services provided through LCOs.

1. In cable TV, MSOs have obligations of making the payment to the broadcasters however they are dependent on LCOs for their collection from the subscribers. The pre-paid model will enable the MSOs to realize their subscription and will be able to overcome from the huge outstanding which always remain in the books of MSO.
2. As per QoS, bill delivery to the subscriber is mandatory. This activity is being done through LCOs and it always remain a point of dispute whether the delivery of the bill was made to the subscriber as taking acknowledgement of the bill every month is not practical, however in pre-paid account the moment transaction is done, billing and receipt are provided via electronic messaging. In effect for all practical purposes if DPO is to provide receipt for payment it can be done only via transactions which are captured via electronic trail of transaction.
3. In the post-paid model bill is generated after exhibition of services i.e. after the month / period is over. In such a case the bill delivery to all the customers can happen only after 7-10 days after the bill is generated, the consumer gets another 7-10 days for payment of bill. And even after such time, if the consumer does not pay, there is an outstanding of around two months on the consumer. As per regulations, it is mandatory for the DPO to give 15 days notice to the

subscriber for deactivation of the services, in such a case it remains more than two outstanding on the subscriber at the time of deactivation of the services. In many cases customer shift to other service provider leaving 2-3 months outstanding.

4. Pre paid model is always beneficial to all the stakeholders as it ensure service provider of its money and choice of the package to the subscriber as customer gets what he/she pays for.

Q43. What should be the billing cycle both for pre-paid and post paid? Please give your comments along with justification.

Response: For prepaid it should be a monthly cycle from the date of activation and for post paid it should be a calendar month billing.

Q44. Should deduction of maintenance related charges for CPE from the pre-paid subscription account be prohibited?

Response: Yes. The same should be billed and collected separately, however DPO should be allowed to bar the services in case such charges are not paid by the subscriber beyond due date which should not be more than 15 days from the date of bill.

Q45. How Toll Free number and call centre details can be widely publicised among the subscriber?

Response: Mandatory scroll message and B Mail message by DPO on weekly/ monthly basis.

Q46. How response time and accessibility of call centre including that of the Call centre executive can be enhanced?

Response: The call centre should respond to the subscriber with in 8 working hours. Complaint booked through IVR should also be responded within 8 working hours.

Q47. Please provide your comments on the following performance parameters discussed in preceding paras related to call centre?

(a) Call centre availability hours

Response: The call centre working hours should be 7 AM to 11 PM.

(b) Multiple languages in IVR

Response: English, Hindi and Local language of the state of operations

(c) Response time for answering IVR and voice to voice calls

Response: The call centre should respond to the subscriber with in 8 working hours.

(d) Sub menu and accessibility of customer care executive

Response: Option of sub menu should be left to the DPOs and accessibility of customer care executive should be from 7 AM to 11 PM. The maximum IVR waiting time for voice call should be 6 minutes.

Q48. What should be the timelines for complaint resolution for different type of complaints at call centre and Nodal officer level?

Response: The existing DAS regulatory provisions are sufficient in this regard and the same should be applicable across all DPOs.

Q49. Can outsourcing of call centre and web based complaint monitoring functions to third party help in increasing efficiency and compliance levels?

Response: Yes. It will be helpful for the smaller MSO for whom it will be difficult to maintain call centre and web based complaint monitoring function as it will not be cost effective for them.

Q50. What should be the innovative ways to develop a speedy user friendly complaint registering and redressal framework using Mobile Apps, SMS, Online system etc.

Response: web based complaint monitoring system is a step in this directions. Other option like app/SMS etc. should also be explored.

Q51. What should be framework for implementation of electronic PMR?

Response: The Authority should develop automative PMR portal for this and service providers should be provided with a user login and password for entering the required data in the system on monthly basis. The present arrangement of physical PMR should be abolished.

Q52. What should be framework for auditing of the records for QoS regulatory compliance by DPOs? Please suggest appropriate measures along with justifications.

Response: The authority should appoint some agency to conduct the audit in this respect and information submitted by the DPO in the PMR portal should be subject to audit once in a year.

Q53. What should be framework for carrying out survey for QoS compliance and subscriber satisfaction?

Response: The authority can appoint an independent agency to conduct customer survey to ascertain customer satisfaction alternatively DPO can provide their own survey reports periodically.

Q54. What should be the framework and quantum for financial disincentives for non-compliance to the prescribed QoS benchmarks? Please suggest appropriate measures along with justifications.

Response: The implantation of DAS is still in progress in the country and Phase-IV is due for implementation on 31.12.2016. The financial disincentive should be imposed only after the industry is settled and DAS is implemented across country.

As LCO is directly dealing with the subscriber therefore the responsibility for compliances of all those services which are delegated to the LCOs should solely be put on the LCOs as they are also registered service provider. Presently there is no law to regulate the conduct of the LCOs, they should also be made responsible for compliances by regulation like other stake holder in the business.

Q55. Should all channels carried on the platform of a DPO must be included and shown in the EPG? Justify your comments.

Response: Yes. This will facilitate the subscribers to exercise their choice of channels they want to watch.