WITHOUT PREJUDICE

Response of Times Network on the Consultation Paper on the Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual

Q1. Whether it should be mandatory for every DPO to notify the broadcasters (whose channels are being carried by the DPO) for every change made in the addressable system (CAS, SMS and other related systems)?

A1. Yes. In our opinion, it should be mandatory for every DPO to notify the broadcasters (whose channels are being carried by the DPO) of every change made in their addressable system (CAS, SMS and other related systems).

Any change in the addressable system would, in all probability, may have an impact on the commercials & the business in general. Thus, such notification will ensure transparency & would in-turn be useful in increasing the trust factor amongst the parties.

Additionally, as suggested by TRAI, an undertaking may be provided by the DPOs stating that the changes/ modifications do not, in any way compromise the Addressable System and that the entire set-up and equipment including software, meets the statutory compliance requirements. Any physical verification, if required, by a Broadcaster, should be allowed by the DPOs.

Q2. Whether the Laptop is to be necessarily provided by the Auditee DPO or the Audit Agency may also provide the Laptop? Please provide reasons for your comment.

A2. In our opinion, the laptop may be provided by either of the two suggested means, however, the data access can be made available to the Auditors subject to a parallel key/ password/ OTP, to be provided by the DPO itself. This would ensure that the simultaneous access of the data by the auditor is in the knowledge of the DPO.

Additionally, multiple key/ password stages can be kept by the DPOs, depending upon the sensitivity of the data stored at their end. However, it shall be ensured that the auditors get proper access to carry out the audit and no artificial restrictions are created.

Q3. Whether the Configuration of Laptop vide Annexure 1 is suitable? If not, please provide alternate configuration with reasons thereof.

A3. In our opinion, the Configuration of Laptop provided under Annexure 1 is suitable as per present Information Technology standards.

Q4. Do you agree with the provisions regarding seeking of TS recording and ground sample information from IBF/ NBA for verification/ checking by the Auditor?

A4. Yes, we agree with the provisions regarding seeking of TS recording and ground sample information from IBF/ NBA for verification/ checking by the Auditor as it would enhance authenticity & acceptability of Technical & subscription Audit cause by DPO. Further, these requests shall only be on sample basis and to cross check the data.

Q5. Do you agree that Data Dump may be cross-checked with weekly data of sample weeks basis? If yes, do you agree with checking of random 20 % sample weeks? Please support your comments with justification and statistical information.

A5. Yes, we agree that Data Dump may be cross-checked with weekly data of sample weeks basis, as suggested.

Q6. Do you agree with the proposed Data extraction methodology? If not, suggest alternates with reasoning thereof.

A6. We make the following suggestions to the data extraction methodology:

1)   In point no. 4 of the Consultation Paper, under the heading, Guidelines for conducting Technical and Subscription Audits, the 'Report of Bouquets' referred to under Clause 4.2(B)(II)(12)(b) should be bifurcated into the following two categories:

a)   Reporting of Broadcaster Bouquet

b)   Reporting of DPO Bouquet consisting of Broadcaster Bouquets

This would be helpful in conducting the Audit in a more detailed manner thereby eliminating irregularities in the data at the macro level.

It would be pertinent to mention here that the format for subscriber reporting shall be strictly in accordance with the same form and manner as stipulated under the New Framework/ Interconnection Regulations 2017.

2)   There should be a separate report on extraction of Active/De-active STBs - The same would be helpful in co-relating the reported data viz-a-viz, the Active/ De-active STBs forming part of the reporting on subscribers at the DPO level.

It is further suggested that the count of STBs for this report may be done, one day prior to the date of reporting.

For example, where the reporting of STBs is to be made on the 7th day of the month, the aforementioned report should provide the status of the Active/De-active STBs as on the 6th day of the month.

Q7. Do you agree with verification and reporting of City-wise, State-wise and Head-end wise subscription report? Please provide supporting reasons/ information for your comment.

A7. Yes. In our opinion, the above-mentioned verification & reporting would be useful for both, the Broadcasters as well as the DPOs. It is well in line with the reporting suggested in The Regulations & would ensure authenticity of the report submitted by DPO. Further, it will ensure that the Auditee's Addressable Systems are adequately equipped.

For the Broadcasters, a detailed/ bifurcated reporting would be useful to gauge subscription patterns. The same may, in-turn, help them with making appropriate business decisions including but not limited to setting advertisement budgets, catering to specific cities/ states.

For the DPOs, this bifurcation may result in an increased bargaining power for the areas with very high or very low subscriber reach.

Q8. Do you agree with the tests and procedure provided for checking covert and overt fingerprinting? Provide your comments with reasons thereof?

A8. Yes, we agree with the tests and procedure provided for checking covert and overt fingerprinting.

Q9. Any other suggestion/ comments on the provisions or methodology proposed in the Audit Manual.

A9. We are of the opinion that the specified time frame of seven (7) days, to notify the changes in the Addressable System, by DPO to Broadcaster, should be reduced to three (3) days in the interest of the business and in view of the corresponding impact that such change may bring with it.

_____