

Comments on the above Consultation Paper are given as under.

#### Basic Service Tier for the Digital Addressable Cable TV Systems

1. What should be the minimum number of free-to-air (FTA) channels that a cable operator should offer in the basic-service-tier (BST)?

Should this number be different for different states, cities, towns or areas of the country? If so, what should be the number and criteria for determination of the same?

Comment: Post DAS all FTA channels will be encrypted and its difficult to gauge on the BST rates, maybe we can take the CAS model over here and make all DD channels to must carry. BST should be again different in all states as per the local content and requirements.

TRAI should also let us know that any channels which is FTA and carried by MSO than the onus of content is with the broadcaster and when encrypted than the onus of content is with MSO's , so who will take the burden of broadcaster on their head.

2. In the composition of BST, what should be the genre-wise (entertainment, information, education etc.) mix of channels? Should the mix of channels and/or the composition of BST be different for different states, cities, towns? If so, how should it be?

Comment: Same as above with little changes ....TRAI have to intervene in this has I & B ministry gives license in 2 category general entertainment & news & current affairs. In BST TRAI should segregate general entertainment in to genre wise, e.g Music, sports, movie,etc. every genre there should be 2 channels whether its pay or FTA, so that consumer gets all genre channels in BST.

3. What should be the price of BST? Should this price be different for different states, cities, towns or areas of the country? If so, what should be the price and criteria for determination of the same?

Comment: To keep common man happy and that's the government slogan also, there should be packages better than DTH as common man can't afford DTH services at cable rates. Cable does not have bandwidth constraint so the numbers of channels should be 70% more than DTH basic package.

4. What should be a-la-carte rate of channels that form part of BST?

Should there be a linkage between a-la-carte rate of channels in the BST to the BST price or average price of a channel in the BST? If so, what should be the linkage and why?

Comment: BST in cable should include all genres of channels as we are doing DAS for consumer benefit and the pay channels should be available at a-la-carte rates of CAS.

5. Should the retail tariff be determined by TRAI or left to the market forces? If it is to be determined by TRAI, how should it be determined?

Comment: As per CAS rates and it should be done TRAI.

It can be done 2 way

1) BST should be discussed by all stake holders and then the price should be fixed or keep minimum 10/20 channels in BST with CAS rates.

2) It's amazing that HD content cost is 500% more than the bouquet rates that too for few HD channels, TRAI should intervene here because middle class people will not be able to watch HD content. HD channels should be not more than 15% to 20% of the a-la-carte rate of CAS has broadcaster does not have any extra cost to it beside satellite bandwidth cost which is very nominal. Together customer cost is much higher than the broadcaster's.

(a) Should the a-la-carte channel price at the retail be linked to its wholesale price? If yes, what should be the relation between the two prices and the rationale for the same?

Comment: Yes, we strictly abide that the cost of single channel of bouquet should be not more than 15% of the bouquet cost to the consumer & MSO.

(b) Should there be a common ceiling across all genres for the pay channels or different ceilings for different genres? What should be the ceilings in each case and the reasons thereof?

Comment: I & B ministry gives license in 2 category general entertainment & news & current affairs, TRAI can create genre within general entertainment & can create different ceilings for different genre.

(c) Should there be a common ceiling across all genres for the FTA channels or different ceilings for different genres? What should be the ceilings in each case and the reasons thereof?

Comment: same as above

(d) Any other method you may like to suggest?

Comment: It's very unfortunate in India that broadcaster play with government policies when TRAI created ceiling on bouquet rates for all pay channels, sports channel created a channel within 1 channel like star sports & ESPN started star cricket with same content with higher rates, ten sports went 1 feet much ahead and created 2 channels from ten sports (ten cricket & ten action) no channels should be allowed to split content and all sports events should be intimated 3 months before the event so consumer or MSO can take the call on the channel.

6. Does any of the existing clauses of the Interconnection Regulations require modifications? If so, please mention the same with appropriate reasoning?

Comments: Too many modifications are required as per the permission given by I & B ministry.

7. Should the subscription revenue share between the MSO and LCO be determined by TRAI or should it be left to the negotiations between the two?

Comment: By TRAI & this should be done in presence of independent MSO who controls 80% of C & S household, super MSO's their JV/distributor and LCO represented forums of India.

8. If it is to be prescribed by TRAI what should be the revenue share?  
Should it be same for BST and rest of the offerings?

Comment: same as above and to take all stake holders in to account to get the revenue sharing %.

9. Should the 'must carry' provision be mandated for the MSOs, operating in the DAS areas?

Comment: Must carry all DD channels and 2 channels from every genre as define by TRAI.

10. In case the 'must carry' is mandated, what qualifying conditions should be attached when a broadcaster seeks access to the MSO network

under the provision of 'must carry'?

Comment:- Should be authorized broadcaster from I & B ministry with valid license.

11. In case the 'must carry' is mandated, what should be the manner in which an MSO should offer access of its network, for the carriage of TV channel, on nondiscriminatory terms to the broadcasters?

Comment: TRAI should initiate with 2 to 3 option for carriage fees e.g carriage fees per household or on slab basis or genre wise because many regional & niche channels does not have 80% to 90% viewership and can't pay common price like news or music channels.

12. Should the carriage fee be regulated for the digital addressable cable TV systems in India? If yes, how should it be regulated?

Comment: same as above

13. Should the quantum of carriage fee be linked to some parameters? If so what are these parameters and how can they be linked to the carriage fee?

Comment: Same as above

14. Can a cap be placed on the quantum of carriage fee? If so, how should the cap be fixed?

Comment: same as above & to be debated with all the stake holders.

15. Should TRAI prescribe a standard interconnection agreement between

service providers on similar lines as that for notified CAS areas with conditions as applicable for DAS areas? If yes, why?

Comment: Yes and it should be done with individual broadcaster company who have taken license from I & B ministry, because for the content or any problem its broadcaster who is to be blamed and not 3<sup>rd</sup> party as created by them.

#### Quality of Service Standards for the Digital Addressable Cable TV System

16. Do you agree with the norms proposed for the Quality of Service and redressal of consumer grievances for the digital addressable cable TV systems? In case of disagreement, please give your proposed norms alongwith detailed justifications.

Comment: same as CAS area

17. Please specify any other norms/parameters you may like to add with the requisite justifications and proposed benchmarks.

Comment: same as above

18. Who should (MSO/LCO) be responsible for ensuring the standards of quality of service provided to the consumers with respect to connection, disconnection, transfer, shifting, handling of complaints relating to no signal, set top box, billing etc. and redressal of consumer grievances?

Comment: MSO should be responsible for providing signal till LCO's headend/society, call center to open by MSO for the various packages to consumer, quires related to billing, set top boxes problem and rest by LCO.

19. Whether Billing to the subscribers should be done by LCO or should it be done by MSO? In either case, please elaborate how system would work.

Comment: MSO because the packages will be given by MSO and any delete or adding of channels will be done in call center, LCO will collect accordingly with consumer the itemized billing of MSO, which will give govt more taxes.

20. Should pre-paid billing option be introduced in Digital Addressable Cable TV systems?

Comment: NO because this will be huge loss to govt for under declaration of active customers, this should be stopped for DTH operators also has they are under declaring customers.

Miscellaneous Issues

Broadcasting of Advertisement free (ad-free) channels

21. Whether an ad-free channel is viable in the context of Indian television market?

Comment: YES

22. Should there be a separate prescription in respect of tariff for ad-free channels at both the wholesale and retail level?

Comment: NO because the base of all pay channels will increase up to 1000% post DAS from present declaration.

23. What should be the provisions in the interconnection regulations in respect of adfree channels?

Comment: TRAI has to make law for this in consultation with I & B ministry.

24. What should be the revenue sharing arrangement between the broadcasters and distributors in respect of ad-free channels?

Comment: none but if the broadcaster is ready to sharing ratio than it should be 50/50 for minimum advertisement as allowed by TRAI.

Non addressable digital Set top boxes

25. In case you have any view or comment on the non-addressable STBs, you may please provide the same with details.

This should be allowed for the poor or below poverty line people who will be only on basic FTA packages and even DD DTH is FTA for the this kind of people. TRAI should see to this matter seriously or it will effect on govt.



Reference point for wholesale price post DAS implementation

26. Would there be an impact on the wholesale channel rates after the sunset date i.e. 31st Dec 2014, when the non-addressable systems would cease to exist? If so, what would be the impact?

Comment: Yes because the pay channels bouquet should be dropped in rates as they will get 1000% growth in declaration from service providers.

7. Any other relevant issue that you may like to raise or comment upon.

- 1) No FDI- beyond 49%
- 2) BST same as CAS area or 20% to MSO for infrastructure/STB subsidiary & headend cost.
- 3) DD channels must carry and 2 channels from every genre for aam admi.
- 4) TRAI as to know that super MSO only controls 20% of C & S household.
- 5) LCO does not pay for the disruption period beyond 24 hours.
- 6) MSO's have created this industry after 25 years of hard work and they are operating from 55mhz to 860 mhz now, thus this bandwidth should be allotted to MSO's post DAS also.
- 7) If HITS is allowed then it should be in C-BAND, as during rains the consumer & LCO will suffer.
- 8) Rates for international content/channel should be very low because the channel is created for the country of origin, rest of the world is overflow so TRAI should restrict these channel amount for consumers.
- 9) Implementation of DAS should be done after all the broadcaster signs agreements with MSO's who are interested in doing digitalization, because we can't put huge amounts on STB/headends before and then run behind pay channels for agreement as many are directly or indirectly with super MSO's and these super MSO's have influence on pay channels.

8. BST- no revenue share- if revenue share- then carriage placement & ad revenue also must be shared.

9. As per law. No Must carry for MSOs- only DD channels only if there is a demand from consumer demand. 2/3 subscriber.

12. Yes- MRP-At present 40 G in CATV for permitted 50 G for each ch.

That means its 350 customer 10% of Gross collection.

13. In DTH license fee of 10% is given in cable.

14. No cap in carriage fee

15. Yes, std interconnect Agreement-Carriage per connection-TRAI is competent-experience in Telecom Industry.

Big MSOs control only 20% of C&S home.

16. Yes- if reasonable quality of language- picture, broadcast signal quality-B'caster to give affidavit/ agreement for proper signal content etc.

No money for disruption period.

19. Billing to be done by LCO.

20 Prepaid- No prepaid- only itemized govt will get exact taxes.

21. Ad free channel you.

22. Interconnect Regions for ad free channels. Should be same for ad free channels.

23. Revenue Share between themselves(MSOs +B'Caster)

24. Non addressable STB should continue.DD Direct non addressable poor people level playing field-4G,5G

25. No bandwidth to govt.

26. Wholesale ch rate after sunset today it is on assumed connectivity after that it will be actual- so it will be much lower.

If Hits allowed only on CBand .Rain feed on KU Band

Rate of International channel- not to be restriction- Made for diff purpose.

1.Whether a distr agency is a broadcaster- who will sign agreement with MSO/Operator?

If agent- will he indemnify for all channels about content etc?

Aggregator not a stake holder

Should the agreement be signed by each broadcaster or aggregator.

2. Can a government force a technology on existing business houses?

3. Is the distr agreement to be made between the licensed broadcaster or the aggregator?

4. What is the relationship between B'Caster and Media aggregator?

5. If any legal case has to be filed against content, who should be a party B'Caster.

6. No channel rates on websites of channels only on distr's(aggregators) ' website.

7. Why channel rates are not on TRAI consulation paper.

8. What about a-la-carte distr agreements who will do it.