

To,

**Mr.Agneshwar Sen**  
**Advisor (B&CS) TRAI**  
**Jawaharlal Nehru Marg**  
**MTNL Building**  
**New Delhi**

Respected Sir

**This is in reference to the consultation paper No.7/2014 dated 23<sup>rd</sup> june 2014 titled Regulatory Framework for Platform Services.** I as a Local Cable Operator strongly oppose the proposed Regulatory Framework For Platform Services.

As you are aware Local Cable Operators(LCOs) have been running the Video Channels even before the Satellite Channels forayed into the cable tv industry.

Video Channels are the **USP** of Cable Operators and it caters to the **local demand** and mostly carries **Local content** as per demands of the specific area where the cable network is running.Video channels not only show entertainment programmes but also religious programmes from Local Temples/Gurudwaras and other religious places.Regulating and putting restrictions on the Video channels will deprive the subscribers from the content which a satellite broadcaster can never telecast.

By regulating or by putting a fee for Video channel you are going to put a financial burden on subscriber as any charge or license fee on video channels will be passed on to subscribers by the DPOs,which will negate the whole purpose of Digitisation.

Regulatory Framework for Video channels will only benefit big MSOs and other Big DPOs, it will adversely effect the small independent MSOs and Cable operators as they will not be able to bear the financial losses due to Licensing of Video Channels.

Local Channels are for people living in a particular area comparing them to National Satellite Broadcasters is unjust and biased as satellite channels have Pan India reach.

As a Vital Stake Holder (LCO) in cable TV Industry I would like to present my comment/Views on points raised by the regulator.

1. Some Programmes Transmitted by through Video Channels by a Cable operator May be similar to the programmes transmitted by TV Channels but these video channels have a very limited area/ethnicity reach, where as tv channels have Pan India reach.

2. According to MIB, local channels are de facto operating as State/Regional/National channels like permitted private satellite TV channels, without obtaining any permission from MIB Therefore, a proper regulatory framework is required.

TRAI has already taken care of the MIB concerns by regulatory framework and restricting a MSO NOT to have more than 50% market share in a state/area.

3. 5

*The Authority in its recommendations dated 25 July, 2008 had inter alia recommended that LCOs be permitted to transmit their own ground based channels. However, with the implementation of DAS, only MSOs and not LCOs can receive signals from the broadcasters MSOs transmit encrypted signals to LCOs who further distribute it to the cable subscribers. The encrypted signals received from the MSOs are decrypted only at the subscriber's end. Thus, LCOs cannot extract or insert any channel in the feed received from their MSO. MIB in their reference has mentioned that the issue of transmission of local channels at LCO level in DAS regime needs to be looked into. Since in the DAS environment only encrypted signals generated at the MSO headends can be carried on cable networks, the LCOs will no longer be able to transmit their own local ground based channels.*

**LCOs should be permitted to run their own Ground Based Encrypted Video Channels along with the signal feed from MSO as technology is available to do so and it will give subscriber a wider choice of programming at no extra cost to them.**

#### 1.4

PS should be categorised as Value Added Services tailored to specific needs and interests of consumers, these services in no way trespass into the domain of broadcast service as these VAS caters to a very small area where as broadcast services have nationwide reach.

#### 1.6

Platform services (PS) are programs transmitted by Distribution Platform Operators (DPOs) exclusively to their own subscribers and does not include Doordarshan channels and TV channels permitted under downlinking guidelines.

***I agree by this definition of Platform Services(PS)***

### **Issues for Consultation**

#### 2.1.1

Kindly provide comments on the following aspects related to Programs to be permitted on PS channels:

1. PS channels cannot transmit/ include Any news and/or current affairs programs

***This is for the MIB to decide to allow news or current affairs programme.***

#### 2.1.2

.Coverage of political events of any nature,

***Should not be allowed to avoid any controversy.***

### **2.1.3.**

Any program that is/ has been transmitted by any Doordarshan channels or TV channels permitted under uplinking/ downlinking guidelines, including serials and reality shows.

***If necessary copy rights and certification has been taken then it should be allowed.***

### **2.1.4.**

International, National and State level sport events/ tournament/ games like IPL, Ranji trophy, etc.

***These programmes should not be allowed as they fall under the domain of national broadcasters.***

### **2.2.1**

PS channels can transmit/ include Movie/ Video on demand

***Yes Can Transmit***

### **2.2.2**

.Interactive games,

***Yes***

### **2.2.3.**

Coverage of local cultural events and festivals, traffic, weather, educational/ academic programs(such as coaching classes), information regarding examinations, results, admissions, career counseling, availability of employment opportunities, job placement.

***Yes should be allowed.***

### **2.2.4.**

Public announcements pertaining to civic amenities like electricity, water supply, natural calamities, health alerts etc. as provided by the local administration

**. Yes**

**2.2.5.**

Information pertaining to sporting events excluding live coverage.

**Yes**

**2.2.6.**

Live coverage of sporting events of local nature i.e. sport events played by district level (or below) teams and where no broadcasting rights are required.

**Yes**

**3.**

What should be periodicity of review to ensure that the PS is not trespassing into the domain of regular TV broadcasters?

***There is no question of trespassing into domain of regular TV broadcasters as both are different in their reach .As TV broadcaster have a mass reach where as PS have a area specific reach.If regulator still thinks there should be some periodicity then it should be atleast five years.***

**10**

**Eligibility criteria for registration of PS**

**Issue for consultation**

**4.**

Should it be mandatory for all DPOs to be registered as Companies under the Companies Act to be allowed to operate PS? If not, how to

ensure uniform legal status for all DPOs?

***There is no need to mandate all DPOs to be registered as companies since DPOs are already registered with MIB and also have a security clearance from MHA thus they already have a legal status.***

### **Issue for consultation**

6.

Should there be any minimum net-worth requirement for offering PS channels? If yes, then what should it be?

***There should not be any minimum net worth requirement for offering PS channels as DPOs offering such services are already in business and have sound financial base to run their network.***

### **Issue for consultation**

7.

Do you agree that PS channels should also be subjected to same security clearances/conditions, as applicable for private satellite TV channels?

***PS should not be compared to Private satellite Channels. There is no need for extra security clearance as DPOs already have it and more over Cable operators just show the local content and they have been in business for last 25 years and there has been not any instance of threat to national security by any act of cable operators.***

### **Issues for consultation**

8.

For the PS channels to be registered with MIB through an online process, what should be the period of validity of registration and annual fee per channel?

***There is no need for any more registration as PS channels are run by MSOs/DPOs who are already registered with MIB for the period of ten years.***

***THERE SHOULD NOT BE ANY FEE FOR PS CHANNEL as consumers will be burdened with extra monthly subscription ..***

9.

What is your proposal for renewal of permission?

***It should be same as DAS license that is 10 years.***

10.

Should there be any limits in terms of geographical area for PS channels? If yes what should be these limits. Please elaborate your response with justifications.

***No there should not be any limits in terms of geographical area for PS channels as they cater to local population and transmit content based on ethnicity and sometimes the target audience is same in different geographical areas . For example religious program being shown from a local Temple will find viewers in different geographical areas.***

11.

**Issue for consultation**

Should there be a limit on the number of PS channels which can be operated by a DPO? If yes, then what should be the limit?

***There should not be any limit on number of PS channels which can be operated by a DPO, as these channels apart from source of revenue through running of advertisement for MSOs are also***

***source for information and entertainment for consumers. Since digitization has paved the way for hundreds of channels to be carried on a Digital Cable Network it will serve no purpose to limit the no. of PS channels.***

## **Issues for Consultation**

12.

Do you have any comments

On the following obligations/ restrictions on DPOs:

12.1 Non-transferability of registration for PS without prior approval of MIB

***It should be same as DAS***

12.2 Prohibition from interconnecting with other distribution networks for re-transmission of PS i.e. cannot share or allow the re-transmission of the PS channel to another DPO

***There should not be any prohibition/restriction from interconnection with other distribution networks for retransmission of PS channels. As people of same ethnicity and viewing interests live in an area catered by different DPOs.***

12.3 Compliance with the Programme & Advertisement Code and TRAI's Regulations pertaining to QoS and complaint redressal.

***Yes PS channels should fully comply with Programme & Advertisement Code and TRAI's Regulations pertaining to QoS and complaint redressal and any other govt.directives....***

***END OF COMMENTS.....***

*.Regards*

*Chanderdeep Bhatia*

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