

# **Consultation Paper on Interconnection Issues relating to Broadcasting & Cable Services**

From

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## **6.3.1. No**

RIO for Non Addressable system should be specified by the Regulation as has been done for CAS.

Reason for that in Rural Areas the cable operators are collecting less than the subscription amount specified by TRAI. Because of the most people living in Rural area are below poverty line; but the LCO is not getting the pay channels according to that. So authority to make New regulations to Broad caster's to provide their pay channels like the Tariff order amendment dated 4<sup>th</sup> October 2007 which differentiate the cable subscribers subscription rate for A/B/C class cities and now the Tariff order dated 26 December 2008 differentiate X/Y/Z class cities same like; pay channels also to be provided to the Distributors of TV channels according to the difference rate mentioned in the above Tariff order.

**6.3.2.** The Existing Inter connection Regulation 4<sup>th</sup> September 2006 should be Re-corrected as follows.

Once the subscriber base to be finalized by the local survey by the clause 9.1 then the subscriber base is accounted, also the variation of subscriber base during validity of agreement period once calculated by Local survey by clause 10.1 & 2, and 11.1 & 2 mentioned for local survey to finalize and the report of monthly subscriber base statement of clause 12.1.

*In non-addressable system the multisystem operators shall furnish the updated list of cable operators along with their subscriber base to the broadcasters on a monthly basis.*

If the clause 12.1 made it mandatory to MSO and cable operators it becomes 100% accountability. So saying Non addressable system is meaning less. So this Regulation's are to be made mandatory and the Non addressable system word to be replaced by Addressable system.

Also in Tariff order 4<sup>th</sup> October 2007. Clause 4B and clause 4C1&2 says issue of receipt and bill to subscriber and maintaining of records of subscriber details then the word Non addressable is meaning less.

Then the sub clause 3.6 to be removed from interconnection Regulation 4<sup>th</sup> September 2006 and also the Regulations which one is not giving final conclusion should not be made. Because of this most Broad casters to MSO and MSO to LCO discrimination is taking part also in sub clause 3.6 says distributors of TV channels operate with in a geographical Region purchase a similar service, use the same distribution technology, In India states mostly divided as per geographical ground. The whole Tamil Nadu is the same geographical

ground including Chennai. Also in Chennai most people living are better than living standard of the Rural but all Tamil Pay Channels are FTA in Chennai and pay channel in other part is discrimination to the people living in other part of Tamil Nadu also the reasons are well known by the authority as mentioned in the 4.10 in the consultation regarding TAM and TRP ratings. So the channels should be same either pay or FTA in entire state other wise this is discrimination to the advertisers and subscribers.

#### **6.4.1.I welcome the mandatory of regulation of Quality of service.**

Provided that the inter connection Regulation should be give protection to LCO from Broadcaster and channel rate and Revenue share to be also made mandatory in between the Broadcaster, MSO and LCO But the Broadcaster misuse the Inter connection Regulation as mentioned in 6.3.2. then the cable operator out flow will be more to broadcaster; then the small cable operator's and Rural Operators can not follow this regulation, due to the less income (or) loss of business and can't Finance for maintain the QoS.

Transparency of subscriber base from LCO to MSO, MSO to Broadcaster and transparency of subscription from MSO to Broadcaster for the particular channel for the particular operator should known by the same operator and Revenue share to be fixed like CAS.

Once the Authority thinks 'A' class (or) 'X' class city people have the ability to pay more subscription, but the channel is FTA for that cities and the channel is pay where the rural people are less ability to pay. For Example all Tamil channels are FTA in Chennai and pay channels in other part of Tamil nadu. But in rural cable operator are collecting the cable bill starting from Rs.50 to Rs.100 only for 30 FTA + upto 20

Pay channels so the Rural operators are able to collect less than the cable Rate fixed by the Authority but we are not getting the pay channel according to that.

**6.4.2.** Rural Local cable operator Even don't know the carriage Fees also None of the Broadcasters give the Revenue share / Discount / Carriage fees to the Rural LCO's.

**6.4.3.** Yes

At least transparency must be mandatory and the Revenue share should also be made up to the end level cable operator and consumer also, other wise if the MSO is collecting carriage Fees for a pay channel and he gets double benefited, if the subscriber is also paying for the same channel without reason. Due to the TAM/TRP all the Tamil Local pay channels are FTA in Chennai, So if the channel FTA in Chennai and Pay channel in other part of Tamil Nadu is discrimination to the subscriber living in other part of Tamil Nadu.

**6.4.4.**

Popularity channels collect more advertising charges and they collect more money by declaring as a pay channel. Also there carriage fees to be calculated by the income collected by the advertisement; If the advertisement Revenue is more because of more subscribers watching the channel and the cable operator carrying the channel after more difficulties. Then the channels getting more advertisement should not be a pay channel. The pay channels should not telecast advertisements and if the channel telecast advertisement it should not be a pay channel.

**6.4.5** No comments

**6.4.6** No comments

**6.4.7** No comments

**6.4.8** No comments

**6.4.9** No comments

**6.5.1** Yes

**6.5.2** Yes

**6.5.3** No

All Broadcasters are already providing their channels after duly taking signature on inter connection agreement either filled or Blank but they never give copy of agreement to the distributor of TV channel and they use the agreement if needed by them and for Disconnection of signal, they don't use the agreement and they use the Regulation 4.1. Para-3 of interconnection Regulation 4<sup>th</sup> sep.2006.

***Provided further that no notice would be required if there is no agreement, written or oral, permitting the distribution of the signals.***

So Execution of Interconnection agreement is Responsibility of the Broad caster from MSO. and MSO from cable operator, but not the Responsibility of distributors of TV channels.

**6.5.4.**The Broad caster's to inform TRAI in monthly basis about the New MSO/distributor of TV channels entering in to the inter connection agreement. The MSO/distributor of TV channels also to send the copy of the interconnection agreement by mail or by scanned Electronic mode and the both Broad caster and distributor of TV channels list to be checked. / Scrutinized.

**6.5.5** Yes – It is the responsibility of Broadcaster to MSO and the MSO to LCO as the case may be

**6.5.6** Yes

**6.5.7** No comments

**6.5.8** No comments

**6.5.9** No comments

**6.5.10** No comments

**6.5.11** No comments

**6.5.12** Yes

**6.5.13** Confidentiality always lead to the discrimination by Broadcaster to MSO and MSO to LCO due to the Big MSO's (or) Big LCO's who has already Long term contact in the Business with LCO to MSO or MSO to Broadcaster, and the adjacent LCO's and MSO's are always the competitive operator's for each other. So interconnection fillings should be always in public domain.

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