

From: **SAMRAT SEN** <samrat@manthanbroadband.com>
Date: Nov 15, 2016 6:41:28 PM
Subject: Response to the Draft Tariff Orders/Interconnect Regulations/QOS
To: gs.kesarwani@traai.gov.in

Dear Sir,

We, Manthan Broadband Services Pvt. Ltd. welcome the move of the Regulator in formulation of the new Tariff Orders, Interconnect Regulations and Quality of Service Regulations and would like to state that this has been a truly remarkable move for streamlining the way business is performed. In this aspect, we have two points which we would like to put forward to you (as discussed with you on the phone as well).

MINIMUM SUBSCRIPTION PERIOD FOR SUBSCRIBING TO A-LA-CARTE CHANNELS

Whereas the previous regulations had stipulated a minimum period of 3 months for subscribing to any channel on A-La-Carte basis by the subscribers, this present Regulations donot prescribe anything of this sort. This in our opinion will be quite harmful for the Broadcasters as well as the MSOs as there will be an option for the subscribe to event based channels only on the days of the events and get the same disconnected after the event. As an example, a subscriber might choose to opt for an event channel on 6th of a month and post the completion of the event, get the same disconnected on 22nd of the month. The MSO would be able to charge the subscriber for only 17 days of the subscription period from 16th to 22nd whereas the SMS report for the said channel would feature the subscriber on 3 date points of 7th, 14th and 21st. The average would yield a payout of the MSO to the broadcaster for a subscription of the services for a period of 24 days, i.e. 7 days more than the actual payment received by the MSO.

Further, by not specifying a minimum period for the subscriber to remain subscribed to any channel, we might find a chaotic situation of subscribers frivolously opting in and out of channels at their own free will for just a few days. This again is detrimental to the overall revenue flow from the subscriber to the MSO to the Broadcasters for viewing any content. We on our part feel that the minimum period for subscription to any channel on A-La-Carte basis should be specified as 3 months for more sensible and judicious choices to be made by subscribers and also for ensuring that the MSOs/Broadcasters earn their fair share for such viewership.

NO STIPULATION FOR BRINGING OUT A PUBLIC NOTICE 21 DAYS PRIOR TO DEACTIVATION OF SERVICES FOR EITHER BROADCASTERS/MSOs

The present Regulations have done away with the need for a compulsory Public Notice and instead stipulates that the provider of pay channels (Broadcaster/MSO) needs to send a written notice and the 21 days period would be counted from the date of receipt of such Notice. This in our opinion is fraught with the risk of being manipulated by both the Broadcasters as well as the MSOs. The reason for the same is that the Broadcasters/MSOs can send only a normal communication to the MSOs/LCOs respectively with a particular Proof of Delivery (POD). Subsequently, for deactivating the signals, the Broadcasters/MSO might actually rely on the normal communication and its POD instead of sending any Notice. This can be done by either Broadcasters or MSOs to achieve the element of surprise in so far as deactivation is concerned

and in our opinion the chances of this being misused is very high. It is our appeal to the Regulator to retain the compulsory Public Notice as before and probably apply stringent clauses on the circulation of such newspapers in which the same is published by the Broadcasters/MSOs.

Apart from the above, we feel that the new Regulations envisaged by the Regulator is an extremely positive move towards streamlining of the Industry and particularly the relationship between the Pay Channels and the Distributors of Pay Channels.

Thanking you.

Yours truly,

Samrat Sen
Business Head
Manthan Broadband Services Pvt Ltd