
**CONSULTATION PAPER ON PLATFORM SERVICES OFFERED BY
DTH OPERATORS**

28TH AUGUST, 2019

CONSULTATION PAPER No. 11 /2019

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Sub: Consultation Paper on Platform Services offered
by DTH Operators 28th August, 2019 -
Consultation Paper No. 11 /2019
Dated: 06th September, 2019

(1.0) I refer to the Consultation Paper No:11/2019 on
the above subject dated 28-08-2019 seeking and
inviting written comments on the above subject
from the stakeholders by 27th September, 2019.

(2.0) I give my written comments herein. Please
arrange to open and read the attached bookmarked PDF
file named "**"TRAI_CP-11(111019)-psn.pdf"**

(3.0) I thank you for providing an opportunity to
present my comments on this subject.

Yours Sincerely,
(P.S.Natarajan)
06-09-2019

Category of Comments: Individual/Member of the Public

Chapter III

SUMMARY OF ISSUES FOR CONSULTATION

Q 1: Do you think programmes of the PS should be exclusively available on one single DTH operators' network only to qualify as a PS channel for the DPO? Should there be any sharing of such programmes with other DPOs? If yes, please provide justification and if no, the reasons thereof.

(1.1) Yes.....A DTH operator## might source exclusive programmes for broadcast on his channel alone which might be produced by them (self made/internally sourced) or made available for exclusive transmission on that channel (outside source).

(1.2) It may gain popularity over time and this might identify that programme or channel with the brand of the DTH itself. It must be mentioned that great pains may have been taken to source resource assets, choice of location, star performers, experts, etc. It is unlikely that DTH-01 will share with DTH-02 on the PS platform as that would lead to a broadcaster type model.

(##I am using this word interchangeably in this comments to the Consultation Paper 11/2019 and "DTH operator" would include DPOs/MSOs/DTHs/HITs/)

Q 2: In case answer to Question 1 is no, how it can be ensured that programmes of the PS are exclusively available only on single DTH operators' network? What conditions are to be imposed in registration/license/guidelines?

My answer to Question No:1 was "Yes"....I will

however, add by saying, that all PS channels must be subject to registration, supervision, regulation, monitoring, accountability, adherence to laws and so on just as any other channel, either by TRAI or under MIB as it may apply.

Q 3 :Is there a need to revisit/review the earlier recommendations of the Authority dated 11th November, 2014, relating to keeping recording of all PS channel programs for a period of 90 days and maintaining a written log/ register of such program for a period of 1 year by the DPO from the date of broadcast and the role of Authorised Officer and the State/ District Monitoring Committee and MIB as monitoring authorities.

No....The existing provisions would suffice in my view.

Q 4: What should be the Registration fee/Annual fee for PS per channel? And how it is to be estimated?

It could be between Rs.1000 to Rs.2000/- per channel for the Registration fee and Rs.2.5 Lakhs for channels uplinked from India and Rs.5.0 Lakhs for channels uplinked from Outside India as the Annual fee. Please read answer to Question No:9 also for the justification and rationale which is revenue and subscriber centric based, among other factors.

Q 5: How many PS channels are to be allowed to DTH operators? and Why?

- (1) As a percentage of the actual transmitted number of active channels say a maximum of 10%(ten percent)
- (2) As a number between 15 to 20 PS channels

Both (1) and (2) are to be with no per genre restrictions. DTH -01 can have 15 "Devotional Channels" if fixed at "15" or a mix of genres and DTH-02 can have 10 "Devotionals" and 5 "Movies" based on "15" channels.

Q 6: Whether PS channels should be placed separately on EPG to distinguish them from regular TV channels? If yes, how these channels are to be placed?

Yes....if it would help the subscriber in a better way, that itself deserves a consideration.

Q 7: Should there be any provision for displaying name and sequence number of PS channels in a particular font size under the heading 'PS' or 'Value Added Services' on TV screen so as to distinguish them from the regular TV channels ? If yes, please provide justification.

(7.1) Yes....to avoid a mix up between the "Regular" TV channels and the "PS" based ones. One cannot be too specific about the font size and it would in my view be overstretching matters a bit by prescribing mandatory font sizes.

(7.2) A minimum font size can be mentioned as a guideline and it is in the interests of the DTH/MSO and the hardware manufacturer if their products offer easier access as they would be well received in the market as the font has to be readable, legible and visually pleasing for digital use. There is a vast difference if a font goes "on screen" and as displayed on a PC screen, phone, an iPad or a web friendly font/colour. Only some fonts are suited better. More than the **font size**, the **Font Family** is also relevant for display purposes.

Q 8: Should PS channels be also categorised in specific genre such as 'Devotional' or 'General Entertainment' or 'Infotainment' or 'Kids' or 'Movies' or 'Music' or 'News and Current Affairs' or 'Sports' or 'Miscellaneous'? Please provide proper justification for your answer

(8.1) Yes....as these are considered standardized genres. One could add more genres as they come along. If you have "**Romance**" + "**Comedy**" on a show, it can be called as "**Romedy**" but coined words may not be well known as a "genre" until one fine day it is categorized or recognized as a category falling under a "Genre".

Q 9: Stakeholders may also provide their comments on any other issue relevant to the present consultation.

(9.1) Platform Services (PS) must be subjected to regulatory controls, guidelines or rules (be it TRAI or the MIB) and in its inventory must exclude *Doordarshan* or *Prasar Bharathi* related content, foreign channels (not registered in India) and the regular or registered channels. The main point is why should these PS channels be treated as "blue eyed boys"? PS services do earn revenue from advertisements apart from subscription charges that are priced rather high as some channels are targeted at specific "niche" audiences.

(9.2) To an extent TRAI has kept itself out of revenue earning avenues, advertisement options of the DTH portfolio besides non interference with the content offerings to name a few. Should this affect controls over the PS is another issue that has to be analysed

as PS channels are not on the same page as private broadcast or other forms of up-down links and there might be contentions raised by DTHs that this is the only way to raise and bolster revenues as content is provided with local flavour, there is no sharing content with other DTHs or DPOs and cannot be compared to other "normal" private channels. PS channels offer excellent avenues to "push" preferential channels and consequently the content and with no sharing with others, the subscribers must be wary whether they are getting what they wanted and would they chosen that PS channel and does that affect their freedom to choose channels of their liking. If packaged as "free" it makes it more lucrative to "push" a preferential channel. As one might state in a stoic manner, a channel that is not liked need not be chosen, watched and can be switched off, and a book that is not liked need not be purchased at all (instead of deliberately buying it, reading it and protesting later on its contents.)

(9.3) Many DTH/MSO have footprints all over the Country, have a large subscriber clientele and earn from advertisements from a greater geographical reachable and large eyeballing figures. In 2018 there were 67.53 million net active DTH subscribers as compared to 16.80 million net active DTH subscribers in 2010 and TRAI's figures and graph spell out the story clearly.

(9.4) We must realize that the words "Value Added Services" should not exist in order to help any DTH/MSO to try and escape from the Regulatory framework's clutches as PS is also a channel that is transmitted, is subscribed to by payment (Pay channels) and derives advertisement revenues.

(9.5) Some PS may be transmitted "free" as in "freely

offered" to the subscriber without seeking any payment (Non Pay Channel), but is it "free of advertising" revenues or is that "freely offered channel" subsidised from/by any other channel?

(9.6) The other way PS is enjoying the picnic still is by way of capacity declaration and disclosure of spare capacity. There should be some co-relation between capacity declarations, actual active satellite feed transmission of number of channels being connected and engaged daily which indicates a "live" status signal wise with the connected satellite, and any "spare capacity" therein should be shared with broadcasters within 30 to 60 days as it may apply by reconciling the differences and monitoring from data furnished in the Returns.

(9.7) It is requested that TRAI enforce this diligently to release all spare capacity being shown as "NIL" as TRAI has disclosed there are MSO/DTHs/ running 300, 479, 544 to 681 channels and 84 channels are HD channels. This imbalanced situation leads to emboldening DTHs to label channels and funnel that into their inventory by showing more and more PS channels which presently is unregulated, has low registration fee, perhaps no annual fee, and is not subjected to the burdens faced by a Private Channel uplink/Downlink model.

(9.8) Video on Demand (VoD), Movies on Demand (MoD), Pay per View(PPV), Show Case, etc all cost and are priced at greater revenue generation levels and are offered during specific time viewing options after payment for a limited time period which add to the revenue coffers.

(9.9) All subscriber based, customer oriented, service related for the subscriber/customer should be made

applicable to the PS channels also where the same help line numbers, call centre numbers (if not already done) and activation/de-activation/merger/transfer/accounts etc must be made available to the subscriber/at his end also.

I thank you for providing an opportunity to present my comments on this subject.

Yours Sincerely,

(P.S.Natarajan)

06-09-2019

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