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Date: Oct 12, 2016 5:31:29 PM

Subject: Comments on draft Telecommunication (BCS)(8 th)(Addressible systems) Tariff order 2016

To: [pradvbcs@traf.gov.in](mailto:pradvbcs@traf.gov.in), [vk.agarwal@traf.gov.in](mailto:vk.agarwal@traf.gov.in)

Dear Sir

Please find my following comments on the consultative paper put up on your website on draft Telecommunication (BCS)(8 th)(Addressible systems) Tariff order 2016.

I have made the comments in my capacity as a retail home segment consumer of DTH and cable TV services.

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**TOTAL FIVE POINTS : where a change / inclusion is suggested as mentioned under para wise with justification and /or elucidation**

**POINT NO.1:**

**Para 3 :** Under Sub section 3(2) it should be reflected that “ **Every broadcaster shall offer all channels and bouquet of channels on a-la-carte basis to the subscriber”**

The reason for inclusion of both channels & bouquet of channels instead of merely channels on a-la-carte basis is to rule out any scope for undue over pricing of standalone channels or a set of channels as compared to the price charged in a bouquet, even in case of dilution of 85% proposed under sub section 3(3) under any circumstances, thereby creating a natural equilibrium in relative pricing differential.

**POINT NO.2:**

**Para 6:** should reflect that “No distributor of television channels shall charge a rental amount exceeding rupees one hundred and thirty, excluding taxes, per month per set top box from a subscriber for providing a capacity so as to enable the subscriber to receive the signals of up to **one hundred and fifty (150) SD channels.** “

The reason being most of the basic tier packs of LCO/MSO/DTH operators have channels in excess of 100 including their private and local broadcast channels. Hence as per the proposed basic tier pricing, the STBs should provide minimum 150 SD channels and tariff for extra channels as proposed elsewhere.

**POINT NO.3:**

**Para 6 - Subsection 6(2):** should reflect that “ Every distributor of television channels shall offer all the channels **and bouquet of channels** available on its network on a-la-carte basis and declare retail prices of pay channels payable by the subscriber.

The reasons for inclusion of both channels & bouquet of channels instead of merely channels on a-la-carte basis is to rule out any scope for undue over pricing of standalone channels or a set of channels as compared to the price charged in a bouquet, even in case of dilution of 85% proposed under sub section 6(3) under any circumstances, thereby creating a natural equilibrium in relative pricing differential.

**POINT NO.4:**

**Para 6 - Subsection 6(3): should additionally reflect that** “In case a subscriber opts for multiple bouquets with an overlap of some channel(s), the total charges billed would make a proportionate reduction of charges so as to effect billing limited only to 85% of the overlapped channel (s) MRP and chargeable only once, irrespective of no. of bouquets in which the channel(s) repeat themselves.”

The reason for such inclusion is a very commonly occurring phenomena with distributors esp DTH where some channels appear in multiple bouquets for which subscribers are not provided any relief or benefit or set off in future billings., and they happen to end up paying multiple times explicitly or otherwise for the same channel , which is unfair and illogical

**POINT NO.5:**

**Para 6 – Subsection 6(5) :** should reflect that “No distributor of television channels shall charge any amount, other than the rental amount, from its subscribers for subscribing to free to air channels or bouquet(s) of free to air channels. **Further no additional charges for accessing, viewing, recording and transferring recorded content to a storage media for person viewing on other devices shall be charged by any name and form including but not limited to HD Access fee, HD/SD Recording fee, Transfer fee.**

The reason being HD Channel prices are being suitably priced higher in the tariff order considering all aspects and the Set Top Boxes with built in recording media or provision for recording, or features enabling transfer of recorded content to some other recording media for personal viewing on another device, features providing multiple access to view channels using mobile phones and internet and similar electronic means any other value added services are a

part of the Set Top Box design & specifications and which are priced considering all the in-built features and has no price restrictions in the tariff order and free to be priced by the service providers. Hence there is absolutely no justification for additional HD/SD Access fee separately, or Recording fee, Transfer fee , Fee for viewing on Mobile devices, Fee for wifi or internet compatibility of Set top box or any kind of Value added service.

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Yours faithfully

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