



TAMILNADU DIGITAL CABLE TV OPERATORS



ASSOCIATION Regis no - 82/2015

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Date - 04.10.2019.

To

Shri.Arvind Kumar Advisor B & CS TRAI,

Mahanagar Door Sanchar Bhawan,

Jawaharlal Nehru Marg (Old Minto Road)

New Delhi - 110 002.

India.

Sub : Counter Comments on consultation paper dated 16.08.2019 reg.

Respected Sir,

We are Very much Happy to present our counter comments to the consultation paper on Tariff related issues for Broadcasting and Cable Service dated 16th August 2019,we on behalf of our TAMILNADU DIGITAL CABLE TV OPERATORS ASSOCIATION TAMILNADU. We the Association of MSO Operators of Tamilnadu take this opportunity to congratulate you to allow us with the chances to place observation from the end of LCOs on the various issues of Consultation Paper on Tariff related issues for Broadcasting and Cable services .

Thanking You,

A. Pandi (A. PANDI)

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Counter Comments on Consultation Paper on Tariff related issues for Broadcasting and Cable services.

Q1. Do you agree that flexibility available to broadcasters to give discount on sum of a-la-carte channels forming part of bouquets has been misused to push their channels to consumers? Please suggest remedial measures.

Misused by Broadcaster . Only customer must select Boquet and alacarte.
Implementation of 15% capping on bouquets with immediate effect.

Q2. Do you feel that some broadcasters by indulging in heavy discounting of bouquets by taking advantage of nonimplementation of 15% cap on discount have created a nonlevel field vis-a-vis other broadcasters?.

Yes, Only it will be vanish if 15% cap introduced.

Q3. Is there a need to reintroduce a cap on discount on sum of a-la -carte channels forming part of bouquets while forming bouquets by broadcasters? If so, what should be appropriate methodology to work out the permissible discount? What should be value of such discount?

The 15% capping is required to implement to protect the interest of the Subscribers otherwise the absence of 15% discount cap, the broadcasters will continue to offer incredible discounts on pricing of bouquets in comparison to the a-la-carte pricing of pay channels, ultimately the result is, the Subscribers will be forced to accept the non-driver channels of the Broadcasters.

Q4. Is there a need to review the cap on discount permissible to DPOs while forming the bouquet? If so, what should be appropriate methodology to work out the permissible discount? What should be value of such discount?

DPO should not allowed to form boquets it is better to bring to an end the permission to forming the bouquet, when there Will be no permission to forming the bouquet then the question of discount does not arise

Q5. What other measures may be taken to ensure that unwanted channels are not pushed to the consumers?

15% cap AND consumer selection.

Q6. Do you think the number of bouquets being offered by broadcasters and DPOs to subscribers is too large? If so, should the limit on number of bouquets be prescribed on the basis of state, region, target market?

YES. Require to eradicate the Bouquet System. The main objective of NTO was to uphold the interest and choice of the Subscribers

Q7. What should be the methodology to limit number of bouquets which can be offered by broadcasters and DPOs?

15% cap must be introduced.

Q.8 Do you agree that price of individual channels in a bouquet get hedged while opting for a bouquet by subscribers? If so, what corrective measures do you suggest?

we agree that the price of individual channels in a bouquet get hedged while opting for a bouquet by subscribers. It is difficult to convince the Subscribers with the huge variation of the price of individual channel with the price of package

Q.9 Does the ceiling of Rs. 19/- on MRP of a a-la-carte channel to be part of a bouquet need to be reviewed? If so, what should be the ceiling for the same and why?

The reason to withdraw the system of bouquet is that the broadcasters are pricing their driver channels at the threshold price of Rs. 19.00 or close to it purely based on commercial considerations. Out of the existing 330 pay channels, 94 pay channels have been priced lower than or equal to Rs 1.00. These channels are generally less popular channels and many of them are recent converts from FTA to pay so that it could be included in a bouquet.

Q.10 How well the consumer interests have been served by the provisions in the new regime, which allows the Broadcasters/Distributors to offer bouquets to the subscribers?

NO BOUQUETS system will serve better

Q.11 How this provision has affected the ability and freedom of the subscribers to choose TV channels of their choice?

The NTO allows the Broadcasters/Distributors, to offer bouquets to the subscribers but it helps them to ignore the consumer interests which is currently in abeyance, This has rendered the TRAI's objective of offering choice to consumers meaningless since consumers are forced to take bouquets, mysteriously MSO compelled the Subscribers to accept their packages instead of al-a-carte channels.

Only broadcasters pushing their Boquet throw DPO angain customers get Unwanted channel.

Q.12 Do you feel the provision permitting the broadcasters/Distributors to offer bouquets to subscribers be reviewed and how will that impact subscriber choice?

Subscribers are interested with a-la-carte pay channel instead of bouquet of pay Channels.

Q.13 How whole process of selection of channels by consumers can be simplified to facilitate easy, informed choice?

The whole process of selection of channels by consumers will be friendly when there will be parity with the price of channel and price of the bouquet.

Q14. Should regulatory provisions enable discount in NCF and DRP for multiple TV in a home?

NO

Q15. Is there a need to fix the cap on NCF for 2nd and subsequent TV connections in a home in multi-TV scenario? If yes, what should be the cap? Please provide your suggestions with justification.

If discount allowed for second and subsequent TV connections ignoring the LCOs earning after NTO, then the service support to the Subscribers from the end of LCOs will be disadvantaged mostly.

Q16. Whether broadcasters may also be allowed to offer different MRP for a multi-home TV connection? If yes, is it technically feasible for broadcaster to identify multi TV connection home?

Not feasible.

Its Broadcasters wish.

Q17. Whether Distributors should be mandated to provide choice of channels for each TV separately in Multi TV connection home?

YES

Q.18. How should a long-term subscription be defined?

Quarterly, Half yearly, Yearly.

Q.19 Is there a need to allow DPO to offer discounts on Long term subscriptions? If yes, should it be limited to NCF only or it could be on DRP also? Should any cap be prescribed while giving discount on long-term subscriptions?

No need to allow DPO to offer discounts on Long-term subscriptions, because the discount will badly influence on the percentage of NCF allowed to the LCOs. The inadequate NCF is the only source of revenue of the LCOs to up-gradation and regular maintenance of network.

Discount on long-term subscriptions would provide advantages to the big players over the small players, as well as will not ensure a solid level playing field in terms of fairness.

Q.20 Whether Broadcasters also be allowed to offer discount on MRP for long term subscriptions? Its Broadcasters wishes. They can give to promote their channels.

NO

Q 21 Is the freedom of placement of channels on EPG available to DPOs being misused to ask for placement fees? If so, how this problem can be addressed particularly by regulating placement of channels on EPG?

NO

Q 22 How the channels should be listed in the Electronic Program Guide (EPG)?

Its DPO interest as per their customers requirement they can place. In STB favourite channel not in available they can change promotional offers by DPO

Q 23 Whether distributors should also be permitted to offer promotional schemes on NCF, DRP of the channels and bouquet of the channels?

No, there is no need of permission No scheme or discount on NCF (Network Carriage Fee instead of Network Capacity Fee), secure 100% NCF (Network Carriage Fee instead of Network Capacity Fee) to the LCOs

Q 24 In case distributors are to be permitted, what should be the maximum time period of such schemes? How much frequency should be allowed in a calendar year?

No.

Q 25. What safeguards should be provided so that consumers are not trapped under such schemes and their interests are protected?

DPO should have no rights.

Q 26 Whether DPOs should be allowed to have variable NCF for different regions? How the regions should be categorised for the purpose of NCF?

No Flexibility should be allowed then only on the quality will not change

Q 27 In view of the fact that DPOs are offering more FTA channels without any additional NCF, should the limit of one hundred channels in the prescribed NCF of Rs. 130/- to be increased? If so, how many channels should be permitted in the NCF cap of Rs 130/-?

The values are calculated as per the NUMBER OF FTA channels,sms,redresal,infrastructure,call centre,servicing of STB,others so RS 130+ GST must NOT BE CHANGED

Moreover 30% of the cableconnection are with DTH. The small cable operators must be supported so there must be no change in NCF.

Q 28 Whether 25 DD mandatory channels be over and above the One hundred channels permitted in the NCF of Rs. 130/-?

All FTA&DD are given in NCF.

Q30.

Q 30 Stakeholders may also provide their comments on any other issue relevant to the present consultation.

1. All A LA CARTE Channels must be below Rs.5
2. No Boquet System if so the maximum price must be Rs.10
- 3.The Broadcaster are now giving 20% Distribution Fee, 15% Penetration fee ,This must be abolished and a 35% discount must be given to all customer there must be no limit and even one customer must get the discount of the broadcasters .Every month it must be debited in the invoice to the MSO.
- 4.There must be no track rentor any other overheads from the State or Central Government as the GST of 18% is collected DOOR BY DOOR from the Customer and in great difficulty the LCO is Paying so there must be no other LEVY from the both state and the central Government
5. The Private Regional Private Channel Must be relayed only from the MSO where they Operate and there must be no provision to be given to other distributors place as they are misusing by giving the pay channels in it.

6. There must be regulation for the local channels to give news as it will be helpful for the government to reach all the schemes available will be reached to every home.
7. The Local channels are facing rights issues from the cinema producers there are many companies for giving rights it must be streamlined by TRAI to make feasible for the local channel owners to get the original rights from the appropriate way .
8. The carriage Fee for carrying the FTA and Pay Channel are fixed 0.20 paisa for SD and 0.40 Paisa HD channel is very low pricing .The infrastructure cost , Electricity ,Salary ,Diesel for Generators. SO please fix Rs 1.00 for SD Channels and Rs.1.50 for HD Channels
9. There must be an Provision to get RS.5 Annually to give Service for STB'S in case of Thunder or High Voltage Damage to the STB'S.
10. A Special Cell has to made by government to safe guard the Family of the Cable Operators as there are loss of life of our cable operators.
11. The Corporates and Government Cable are giving free STB'S it is making Level Playing Market and it create monopoly in the field.
12. The Swapping of STB'S by the other MSO must be Stopped .The MSO licence of such MSO must be Suspended.
13. The 55:45 must be implemented all revenue as per billing must be paid to the MSO and from that MSO only all GST will be paid and the LCO share will be paid and the LCO share will be paid by the MSO. The time limit for repaying to the LCO must be within every 5th of every month.
14. There is no recommendation to OTT/IPTV to the present Consultation Paper on Tariff related issues for Broadcasting and Cable services. Currently, OTT platforms are gaining popularity over the country, and OTT services in India are running with having about 40 OTT players, such as HOTSTAR, NETFLIX etc. Every OTT player is collecting payment as a subscription from a large no of viewers in exchange of subscription of a large amount. In comparison with the other stakeholders, the OTT apps do not have to pay any such charges or taxes. This, in turn, makes it financially easier for the OTT players to compete in the same market. We hope TRAI is set to consider bringing OTT media platforms under regulations similar to those implemented in the DTH and Cable TV industry. The move could make OTT platforms follow similar rules and strategies as DTH and cable operators.

Without prejudice to our rights and contentions to the Consultation Paper on Tariff related issues for Broadcasting and Cable services of TRAI, we raise the issues to need consideration of the appropriate authorities

Thanking You

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