

Comments on Consultation Paper on Distribution of TV Channels from Broadcasters to Platform Operators

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Sir, as DAS gets implemented, it is giving way to consolidation and fewer but bigger players. It is imperative that the ground rules are written in a way that smaller players do not get marginalized.

This consultation paper is an honest attempt by TRAI to help clarify critical irritants, which have become a deterrent to our industry growth. We, given the three news channels that we have, are a small player in the broadcasting space who has a constant struggle in adapting ourselves to keep afloat in the rapidly changing business environment.

The issues, both in the TARIFF ORDER as well as INTERCONNECTION REGULATION are overlapping and our views on these are classified as under:

1. **Definition of “broadcaster”:** **YES**, this should be included with following suggestion:
 - a. Suggestion: It should simply say *broadcaster means any person including an individual, group of persons, public or private body corporate firm or organisation or body who or which holds a valid broadcasting license issued by the Ministry.*
 - b. Anyone who does not have a valid broadcasting license, cannot be termed as a broadcaster

2. **Engagement of distribution agencies by the broadcasters:** **YES**, this should be included with the following four suggestions incorporated:
 - a. Suggestion1: (Pricing) A broadcaster is the sole owner of its content. Hence neither aggregators, nor MSO can have any right on the ‘pricing’ of the channel. **The channel can only be priced by its owner i.e. the broadcaster.** A line defining this constraint needs to be included in the amendment.
 - b. Suggestion2 (Bundling): Only a content owner can bundle the various channels that it owns. In case either aggregator or an MSO want to craft its own bouquet, **it should be with the consent of the owner (broadcaster)** and in a way that it does not adversely affect the owner (broadcaster’s) business.
 - c. Suggestion3 (reconfiguring a bundle). We completely agree with TRAI’s formula to calculate the wholesale bouquet rate of a re-configured bouquet. We could likely to humbly state that **this should be extended to MSO in case of a retail bouquet** i.e if

an MSO makes a retail bouquet (within TRAI guidelines) of more than one channel then the same should be shared between the various broadcasters basis the same logic.

- d. Suggestion 4 (Signing RIOs): We would, for operational feasibility, urge TRAI to consider letting a distribution agent sign the agreement on behalf of the broadcaster in a **“tripartite’ manner.**