

## CONSUMERS' FORUM(R)

Brasam Building, Nehru Maidan,

**SAGAR-577401 (Karnataka)**

Phone No. (08183) - 227465, 226473, 296513 email: [consumersforum@gmail.com](mailto:consumersforum@gmail.com)

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Date: 18<sup>th</sup> January 09

To,  
Principal Advisor (B & CS)  
TRAI, New Delhi  
Sir,

Sub: comments & views on consultation paper on Interconnection Issues

We have received a hard copy of consultation paper on above issue. Following are our responses on said issue:

1. Comments/views on clause 6.2.1 : Yes. Interconnection Regulation should make it mandatory for the broadcasters to publish Reference Interconnect Offers (RIOs) for all addressable systems. Because our experience says that in the absence of such RIOs, broadcasters are taking distributors for a ride thereby affecting the interests of the laymen-consumers. But different RIOs for different platforms can be there.
2. Comments/views on clause 6.2.2: Regulatory control in the form of Regulation is the only methodology by which issue of interconnection can be addressed.
3. Comments/views on clause 6.2.3 Yes, specifications indicated in the annexure are adequate.
4. Comments/views on clause 6.2.4: A government agency's pre-certification as given in consultation paper is the ideal methodology.
5. Comments/views on clause 6.2.5: Separate regulatory framework to handle hybrid networks in non CAS areas is necessary.
6. Comments/views on clause 6.2.6 :There is a need to define 'commercial subscribers'. The definition should include all categories and definition may be as in the case of cable services.
7. Comments/views on clause 6.2.7 :Yes. Broadcasters should be mandated to publish RIOs for all addressable platforms.
8. Comments/views on clause 6.2.8 :Yes. Replacing RIAs for RIOs best suits the interests of consumers by avoiding delay and legal hurdles.
9. Comments/views on clause 6.2.9 :Time limit may be reduced to 30 days if there is RIAs in place of RIOs.
10. Comments/views on clause 6.2.10 : Yes. Regulation should specifically prohibit the broadcaster from imposing restriction on packaging of the channels on addressable platforms
11. Comments/views on clause 6.2.11 : Same restriction should be necessary on the issue of pricing also
12. Comments/views on clause 6.3.1 : Yes. We are for terms and conditions and details to be specifically included in the RIOs. It should be mandated by a modification in the regulation
13. Comments/views on clause 6.3.2 : Apart from other relevant points a must should be inclusion of details of a-la-carte rates of channels in their RIO
14. Comments/views on clause 6.4.1 : Yes. We fully agree with this point. It is quintessential from the point of consumers that a service provider first should fulfill

his obligation under QOS regulation and then only he can seek benefit under any other regulations

15. Comments/views on clause 6.4.2 : Yes. In these types of instances a restriction on applicability of clause 3.2 of Interconnect Regulation is necessary
16. Comments/views on clause 6.4.3 : Yes. There is a need to regulate some features of carriage fee.
17. Comments/views on clause 6.4.4 : The manner of regulation in our opinion better to be left with Regulator, but Regulator should keep the interests of the consumers in view since ultimate sufferer or benefitor of the regulated carriage fee is the consumer
18. Comments/views on clause 6.4.5 : Yes but with necessary precautionary regulations
19. Comments/views on clause 6.4.6 : Standard Interconnect agreement need to be prescribed by the Authority
20. Comments/views on clause 6.4.7 : A regulatory initiative to make it compulsory for DTH Operator to arrange the channels that have to be provided to the new subscribers in keeping with the interconnection agreements is appropriate to handle this issue
21. Comments/views on clause 6.4.8 : We don't think so. Because it is the first obligation of Operator and not the Distributor to serve the consumers by assuring 6 months service of specific channels
22. Comments/views on clause 6.4.9 : Regulatory measures in the form of reduction in subscription fee for non supply of assured channels for 6 months and/or providing additional channels for the non-accessible channels can safeguard the interests of consumers in the case of dispute regarding interconnection between operators and broadcasters
23. Comments/views on clause 6.5.1 : Yes, it should be made mandatory
24. Comments/views on clause 6.5.2 : Yes, we agree with view
25. Comments/views on clause 6.5.3 : Yes, it may be the logical conclusion of above two issues
26. Comments/views on clause 6.5.4 : Giving of a copy of the agreement to the distributor should be made mandatory and it is also prudent to make it compulsory to send a copy to the Authority
27. Comments/views on clause 6.5.5 : We agree with these points
28. Comments/views on clause 6.5.6 : Yes said furnishing of certificate can take care of future violations by broadcasters
29. Comments/views on clause 6.5.7 : Yes it has to revised
30. Comments/views on clause 6.5.8 : One month period may be the periodicity
31. Comments/views on clause 6.5.9 : 15 days may be the reasonable period
32. Comments/views on clause 6.5.10 : Two years
33. Comments/views on clause 6.5.11 : Yes. CDs/DVDs serves the purpose
34. & 35. Comments/views on clause 6.5.12 and 6.5.13 : This issue may be best handled by the Authority itself. Filings may be scrutinized and assessed confidentially by the team of Authority as to find out the discrimination aspect

Above are our opinions that we want to place before the Authority. It is for Authority's perusal and necessary action.

Yours truly,



K.N.Venkatagiri Rao

Trustee

Copy to: Sri. Mathew Palamattam Deputy Advisor (CA) TRAI New Delhi