

2/09/13

The Chairman

Telecom Regulatory Authority of India

Mahanagar Doorsanchar Bhawan,

Jawahar Lal Nehru Marg,

New Delhi-110 002

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

Sir,

Thank you for Consultation Paper on Distribution of TV channels from Broadcasters to Platform operators dated 6 Aug 2013.

As a stake holder as LMO (Last Mile Owner), I really appreciate the the efforts of TRAI in brining in some norms in broadcasting and distribution sector. This will save hapless cable tv subscribers , cable operators and small independent MSOs from the high handedness of Broadcasters and their so called agents.

As mentioned in your consultation paper on above subject the Broadcasting and cable tv market is content driven marke. Unless a distribution platform carries all the channels popular in the relevant market, it cannot be a viable distribution platform. As on date, the distribution business of around 73% of the total pay TV market, including high definition (HD) TV channels, is controlled by a few authorised distribution agencies. These channels include almost all the popular pay TV channels. These authorised distribution agencies wield substantial negotiating power which can be, and is, often misused leading to several market distortions.

These authorized distribution agencies have formed an **unauthorized cartel** and have been framing their own rules and prices for giving content to cable operators/small independent MSOs even after digitization these aggregators have been signing the agreements on the basis of MG (minimum guarantee) instead of

on the basis of STBs thus negating the effects of Digitization .as you are very well aware that there are four main channel aggregators who control the 73% business of channel distribution.

Channel aggregators have differential pricing there is no fixed MRP for any channel they have different price for different MSOs and MSOs too have different price for same packages in different localities in the same part of city.

Some MSOs have stakes in the channel distribution business so they get favorable price for their own networks and where as the rival MSOs get the same channels at a higher price , ultimately the subscriber of one mso is paying less price for same channel and subscriber of other MSO is paying higher price in same locality.

This menace of favorable pricing must stop. In consumer's interest

Broadcasters must give MRP of each channel and this MRP should be uniform for all platforms (i.e Cable Tv , DTH,IP TV).

There is monopoly by channel distributors on ground networks, they have their own cable tv networks and they don't let other operator's to get channels and force them to sell the stake in their networks to them in lieu of channels, So my request to you to is there should not be any stake in any ground cable tv network by any channel distributor or MSOs.

As mentioned in the draft consultation paper

- (a) there is no change in the composition of its bouquet provided by the authorised distribution agent to distributors of TV channels;
- (b) its authorised distribution agent does not bundle its bouquet or channels with the bouquet or channels of other broadcasters;
- (c) while acting as an authorised distribution agent, such person acts for and on behalf of the broadcaster.

.Channel Aggregator do not give Channels to independent MSOs or new MSO, because they want favour National MSOs. Too many Regulation on Cable operators only.

Sir this is my humble request to you as a Last Mile Owner (cable Operator) to make these aggregators come under the rule of Law and bring uniformity in pricing and sanity in channel broadcasting. Your Firm Steps in dealing with these channel aggregators will help this cable tv industry to progress further and achieve bigger milestones in DAS scenario.

Thanks and regards

RAHUL RAWAT

INDORE [M.P]

09926666077