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WITHOUT PREJUDICE
By HAND/E-mail

Issues related to Quality of Services in Digital Addressable Systems and Consumer Protection

Q 1. What should be broad contours for a QOS Regulatory framework for digital addressable systems? Please furnish your comments with justification.

Ans: The QOS issues include a customer's right to information relating to services such as subscription, maintenance, complaint redressal and consumer protection etc. A fair transparent and well defined process for subscribing to the services, maintaining the service and also for grievance redressal in an easy and user friendly manner is desirable to take care of consumer interest .These provisions need to be quantified and prescribed as minimum performance bench mark in the QOS frame work.

Keeping in view the above facts and considering Indian broadcasting industries, multiple delivery platforms, consumer choice and consumption patterns in our view the regulator needs to laid down a detailed framework for QOS while judiciously balancing the conflicting interest of various stake holders including consumers. The regulator will also need to put in place a mechanism to check and ensure compliance .This approach requires a high degree of regulatory intervention and involvement in enforcement and auditing etc. However the subscriber is assured as the service provider has to comply with the comprehensive provision of the QOS regulations.

Q 2. Should there be a uniform regulatory framework for Quality of service and Consumer protection across all digital addressable Platforms? Please provide your comments with justification.

Ans: Since all DPO will disseminate standardized uniform framework, there would be consistent consumer awareness. Moreover, customer's service experience would be platform agnostic it may therefore be real need for developing consistent and uniform QOS regulatory frame work across all addressable platforms. Entire broadcasting sector is upgrading towards digital addressable broadcasting system, consumer protection is primary issue of the concern to encourage growth in the sector in absence of a consistent uniform across various platform will create complexity in reporting , audit and monitoring that would not serve the purpose and interest of either the consumer or the industries.

As is appears, there emerges a good need for a uniform regulatory framework with consistent framework for addressing the issues related to QOS and consumer protect across all addressable platforms.

Q 3. Should timelines relating to various activities to get new connection be left to the DPOs to be transparently declared to the subscribers? If so, how the interest of the subscriber can be protected if the connection is not provided in given time frame?

Ans: Yes , the timelines relating to various activities to get new connection be left out to the DPOs. The details of information to be include channel prices, packages/ bouquets , set top box / consumer premises equipment schemes , customer care details and various other QOS performance indicators, so as to enable the consumer to compare and select appropriate service. All these information's needs to be placed in the website of the service provider, it will be easily accessible.

Q 4. What should be the time limits for various activities, as mentioned below, to get new connection? Please provide your comments with justification.

(a) Response time for processing new service request and conveying feasibility of providing connection at the desired location

(b) Time line for completion of CAF, installation and activation of service .

Ans (a) One week time from the date of inquiry for processing new service request is required subject to feasibility.

Ans (b) 3 days for completion of CAF, installation and activation of services.

Q 5. Should minimum essential information to be included in the CAF be mandated through regulations to maintain basic uniformity? Give your suggestions with justification.

Ans: Yes, this is critical for maintaining subscriber relationship and Quality of Service (QoS).

Q 6. Should minimum font size need to be specified for CAF? If not, how can it be ensured that important information provided in CAF is given in such a manner that consumer can read them easily?

Ans: The minimum font size obligations will unnecessary take more space. The CAF must be available in DPO's website for better understanding for consumer.

Q 7. Should use of e-CAF be facilitated, encouraged or mandated? Please provide your comments with justification.

Ans: In our suggestion YES, E- CAF must be mandated so that there is low usage of infrastructure and it will be hassle free storage for long term at a reasonable cost.

Q 8. Should the minimum essential information to be included in the MoP be mandated through regulations to maintain basic uniformity and to ensure that consumers get all relevant information about the services being subscribed?

Ans: Yes, as per the existing regulations, the information contained in the MoP and consumer charter appears to be very similar. While providing information related to consumer's rights and protection in the MoP may be important, it is also important that uniformity in providing the information to consumers under digital addressable system is ensured and multiple regulatory provisions are accordingly harmonized.

Q 9. What should be the minimum information to be included in MOP Give details with justification?

Ans: It should contain all consumer centric information which is essential in connection with availing the services offered by the DPOs. Such info may include details of services, schemes, details relating to consume care, grievance redressal, timelines for providing various services, obligations etc.

Q 10. Should it be necessary to provide printed copy of MOP to all the customers at the time of subscription to the service? If not, how it can be ensured that all required information is available to subscribers when required?

Ans: The MOP must be available in website of the DPO, whenever a consumer need, it can be downloaded at ease.

Q 11. Should there be an initial subscription period while providing a new connection to protect the interest of both the subscriber as well as DPOs?

Ans: In our view, no. Let customer decide the service provider, and retaining a customer is MSO's job.

Q 12. If so, what should be the duration of such initial subscription period?

Ans: NA. (Please refer the answer of Q11).

Q 13. What protections should be provided to subscribers and DPOs during initial subscription period? Give details with justification?

Ans : No protection to be given either to the subscribers or to the DPO's.

Q 14. What should be the framework for compensation to the subscriber for dropping of a channel due to its non-availability on the DPOs' platform?

Ans: DPO can compensate alternate channel from same genre.

Q 15. How should the reduction in subscription charges be calculated in case of discontinuation of channel from DPOs platform? Please provide your comments along with justification.

Ans: In our view, reduction of subscription may not be allowed and compensation can be done in the form of alternate channels.

Q 16. What should the maximum permissible time of disruption beyond which subscriber must be compensated in following cases?

- (a) Disruption due to technical fault on the DPO network or at the subscriber's end
- (b) Disruption due to technical fault of CPE at the subscriber's end.

Ans: (a) in general service must be provided within 24Hrs if any technical fault on DPO network.

(b)24 hours for fault of CPE at subscriber's end.

Q 17. What should be the duration of disruption in service warranting compensation to the consumer and how the compensation should be calculated in following cases?

- (a) Continued Disruption due to technical fault on the DPO network at the subscriber's end beyond the pre specified time.

(b) Continued Disruption due to technical fault of CPE at the subscriber's end beyond the pre specified time.

Ans: (a) Days of disruption due to technical fault on the DPO network at the subscriber's end beyond the pre specified time ,it can be compensated in the form of free days.

(b) same as above.

Q 18. What should be the framework and terms and conditions for shifting of connection including timelines in respect of PAN India DPOs where provision of connection at new location is feasible?

Ans: Shifting can be done if it is feasible in the DPO'S network, it should be done by taking installation charges a fresh.

Q 19. Is there a need to prescribe procedure for transfer of the TV connection? If so, what should the procedure, terms and conditions for transfer of services connection and timelines?

Ans: If it's feasible within the DPO'S network then, shifting can be done within 7 days from the feasibility confirmation date.

Q 20. What should be the framework to address the concerns of stakeholders (Subscribers and DPOs) relating to temporary suspension of service?

Ans: it can be worked in the form of free no of days.

Q 21. How issue of abrupt closure of service due to non-payment can be addressed while protecting the interest of subscribers and DPOs?

Ans: 21days notice to be given to the subscribers and DPOs regarding non-payment to the corresponding channel.

Q 23. What should the procedure and timeframe to inform the subscriber regarding closure of service due to closure of business?

Ans: One month public notice to be given on popular newspaper to inform the subscriber regarding closure of service due to closure of business.

Q 27. What measures may be adopted to ensure availability of good quality CPE to consumers?

Ans: Locally quality manufacturing and adequate availability is the only solution for providing good quality CPE to consumers.

Q 28. Should any charges such as visit charges, etc. be charged from the subscribers during guarantee-warranty period?

Ans: No visit charge to be charged to the subscribers during guarantee-warranty period.

Q 29. What should be provisions for maintenance of CPE after the expiry of guarantee- warranty period?

Ans: Post guarantee-warranty period service to be charged, if any spare parts is required to be borne by the subscriber .

Q 30. What should be the simplified provisions for surrender of CPE in case of closure of service by the subscribers in order to protect their interest?

Ans: The subscriber can surrender the CPE to the DPO and get the money refund after the deduction for the depreciation and service charge due if any.

Q 32. What are the different methods to effectively increase consumer awareness?

Ans: Home channel of DPO can be used as a platform to increase consumer awareness.

Q 33. How consumer related information can be effectively provided to Subscribers through DPO website. What minimum information should be provided through consumer corner?

Ans: The consumer charter and MOP(manual of practice) must have all the required information for subscriber will be available on DPO's website. The toll free no, customer care no, nodal officer's details and appellate authority details must be provided.

Q 34. Can outsourcing to the third party for various web based operations be permitted especially for smaller DPOs? If yes, what precautions are taken to ensure that such provisions are not misused?

Ans: Smaller player can outsource third party for various web based operations by signing a trade agreement to protect other statutory obligation time to time mandate by the authority TRAI.

Q 35. In case of the use of "In Channel" communication means, what should the guidelines for running scrolls or other onscreen displays, so that it does not impact the viewing experience?

Ans: Whenever an in channel communication is used for running scroll, it must not obstruct the viewing of programme . BMAIL can be used for in channel communication which having separate viewing block.

Q 36. What options can be used for verifiability of subscriber communications for any change in service or provision of additional service?

Ans: Call center communication records, email, walk in slip or formal service request letter (PAF) all these can be verifiable when required for subscribers communication for additional service request.

Q 37. What should be the duration to preserve such verifiable subscriber communications requesting change in service or provision of additional services at DPO level?

Ans: In our view minimum 3months record to be preserved for verification at DPO level, the PAF can be preserved for 12 months.

Q 38. What should be optimal number of channel packages which meets the subscriber demand and are well understood by the subscribers?

Ans: In our view minimum 150 channels (100FTA and 50 PAY TV) consist of all genres and regional channel can be additional as per the locations requirement will meet the subscribers demand.

Q 39. How the package offerings can be improved in case of cable TV services so that effective choice is made available to the consumers?

Ans: DPO must publish their all the packages in website for subscribers. All the ala-carte rates and availability must be published for subscribers viewing in the website.

Q 43. What should be the billing cycle both for pre-paid and postpaid? Please give your comments along with justification.

Ans: in our view, whether its prepaid or post-paid, the billing cycle must be monthly. Any special schemes on quarterly, half yearly or annual can be done in both the cases.

Q 44. Should deduction of maintenance related charges for CPE from the prepaid subscription account be prohibited?

Ans: In our view deduction from prepaid subscription for any maintenance related charges is not required, maintenance dues can be collected from the customer separately.

Q 45. How Toll Free number and call centre details can be widely publicised among the subscriber?

Ans: The toll-free number and call centre details is in the CAF form, its available in the cash receipts , website and display in home channel can be mandated.

Q 48. What should be the timelines for complaint resolution for different type of complaints at call centre and Nodal officer level?

Ans: In our view call centre complain can be addressed in 48 hrs and Nodal officer level complain can be addressed in 24 hrs.

Q 49. Can outsourcing of call centre and web based complaint monitoring functions to third party help in increasing efficiency and compliance levels?

Ans: When required a DPO can outsource call centre and web based complaint monitoring functions to third party, it will help in increasing efficiency and compliance level.

Q 50. What should be the innovative ways to develop a speedy user friendly complaint registering and redressal framework using Mobile Apps, SMS, Online system etc.

Ans; In our view mix of tools such as Apps, online system and SMS can be used for complaint registering and redressal.

Q 55. Should all channels carried on the platform of a DPO must be included and shown in the EPG? Justify your comments.

Ans: DPO can include all the channels carried on the platform network in the EPG, subject to availability Of EPG details from the broadcasters' network.

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