

30th June 2016,

Mr. Prof. M.Kasim,

Advisor (B&CS)-III,

Telecom Regulatory Authority of India

New Delhi.

Sub: Consultation Paper on Issues related to Quality of Services in Digital Addressable Systems and Consumer Protection

Dear Sir,

At the outset, we, at Asianet Satellite Communications Ltd, would like to congratulate TRAI on successful completion of 3 phases of cable digitalisation spanning the entire country and also the efforts put by the Authority to regulate the industry.

We welcome the consultation paper on Quality of Services in Digital Addressable Systems which is a welcome move in consumer Protection and one of the twin objectives of the Regulator:

- a) To Protect interests of consumers
- b) To create incentives for service providers (by providing adequate returns to them).

You would appreciate that improvement in Quality requires investments and DPOs should get fair return on investments to reinvest in improvement of services.

After nearly 25 years of Cable TV industry, various DPOs have invested nearly Rs.40,000 crores and continue to invest, without getting any returns yet.

The authority may also appreciate that high uptimes in network, best quality and long lasting CPEs and protection of consumers are impossible to be delivered at low tariffs of for example Rs.100 per month for Basic tier as various operational costs – like labour, power, right of way, spares, operational costs of Digital head end including CAS costs the DPO much more. In addition, the pay content tariff structure also forces the MSOs to pay to broadcasters from their pocket leaving the DPOs financially unviable.

We request the authority to look at the QoS along with revamping the tariff structure regulations so that the DPO industry becomes healthy to earn returns on the investments made which will enable them to reinvest in QoS so that over all, both the consumer and the Service Provider are protected.

We have put forth our views on the issues raised in the consultation paper below.

We thank the Authority for giving us this opportunity to express our views and are confident that the Authority comes out with regulations in such a manner that DPOs and Consumers benefit.

Yours Sincerely,

Sankaranarayana G

Authorised signatory.

Summary of issues for consultation

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

We propose Self regulated QoS framework for the next 3 to 5 years for the following reasons:.

DPOs have faced lot of challenges and have been transitioning from analog to digital with phase IV still pending.

MSO, LCO are getting adjusted to DAS in Phases 1,2, and 3 with a new set of cost structure without commensurate increase in revenue. The challenges have been many from investment phase to deployment of STBs, a stringent tariff regime in DAS to offer services to subscribers starting from Rs.100 pm.

The operational conditions of MSO/LCOs vary from place to place to ensure a standard QOS because cable Network depends on several factors outside the control of MSO / LCO/DTH operator:

- a) Most of the cables are laid from building to building or on poles with or without proper ROW in several parts of the country
- b) Since there are several active components like amplifiers dependent on power, services provided depend on the performance of state electricity board.
- c) Wide geographical spread needs MSOs to be dependent on bandwidth from Telcos / others' fiber network and the service levels depend on the uptime of the vendor's services.
- d) The cable industry which predominantly runs on overhead cables is fraught with cable cuts – due to accidents and sabotages which are not in the control of MSO / LCOs.

Since there is enough competition for a subscriber – between MSOs and DTH in any given place, the players are already taking best care of subscribers.

Since QOS depends on revenues MSOs / LCOs earn which will allow them to reinvest in QoS, the subscription tariff regulation should be revamped to allow DPOs to earn fair returns which will help in improve QoS.

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.

No. We do not suggest a uniform regulatory framework for QoS for the following reasons:

- a) The technology and mode of transmission is different in different platforms and each platform has associated advantages and disadvantages.

While DTH has constraints of Transponder space to carry promised number of channels and is subjected to disturbance during rainy season, cable TV technology which runs on active components is susceptible to power cuts, damages to network components and STBs due to lightning.

- b) STB related failures are high in areas that are prone to lightning and the longevity of STB depends on the earthing and electrical cabling standards followed by the subscriber and hence it is requested to keep out the STB related complaints from QoS norms.

Q 3. Should timelines relating to various activities to get new connect 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?

Yes. The indicative timelines related to activities for providing a new connection should be left to DPO's to be transparently declared to the subscribers on the website of the DPO keeping in mind the coverage of Direct network & network of LCO.

In the case of MSO, the adherence to timelines depend on the efficiency of the LCOs in terms of giving a cable connection.

It may be noted that in the case of cable network, if a request comes from a customer outside the network area, some additional time is needed to provide connection as it involves extending the cable network.

The interest of subscriber can be protected by giving timely updates on each milestones/progress till activation using SMS based application to the customers Registered mobile number.

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

The response time for processing new service request can be on real time basis by capturing the address & contact details of customer in respective DPO's Web based Portal.

Feasibility of providing the connection can be reverted within one working day considering the technical & operational parameters. For secondary /LCO areas, the information would be passed on to LCO who would in turn touch base with customer.

The following options which are currently in practice are Direct walk ins, Enquiry through Call centre , Requests through online portal, Email facility, SMS based application & Mobile Apps

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

The timeline for CAF with necessary documents & payment along with installation and activation of services can be completed within four working days subjected to customer availability and permission of cabling or for any postponed date as requested by the customer .

Any extension of days due to the additional requirement materials considering the demography shall be duly informed the customer.

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.

The minimum essential information as per annexure 3 can be included in the CAF should be mandated through regulations for the purpose of uniformity and for coverage.

This would create a transparency between the customer and MSO and would help to avoid further dispute thereby enhancing the QoE.

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?

Yes, the minimum font size needs to be specified for CAF. This would ensure that essential information are shared to the customer and helps to create a transparency between the DPO and customer thereby enhancing QoE right at the point of sale itself.

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

e-CAF should be facilitated and encouraged to the fullest, while it may not be compulsory. This helps in carbon reduction and storage space, contributes to operational and economical efficiency of the MSO and more important this will have a positive impact on the transaction time required for processing the CAF

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?

Yes, the minimum essential information to be included in the MoP should be mandated through regulations to maintain basic uniformity and to ensure that consumers get all relevant information.

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

The minimum information to be included in MoP are details of services, schemes, details of customer care, grievance redressal, time lines for providing various information, obligations besides name, address, terms, contact details, benchmark 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?

It is not necessary to provide printed copy of MOP as there are more options available via digital communication. The information on MOP can be placed in website for easy viewing of customer and MOP in a pdf format can be mailed to the customer through welcome email during the on-boarding process immediately upon activation which can include basic trouble shooting guide and FAQ's thereby value adding on to improve QoE.

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?

The initial subscription period while providing new connection need to be three months.

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

This needs to be three months as there is lot of changes happening in DAS & Broadcaster end at the present market scenario.

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

The DPO's should ensure to provide the promised service as per the initial subscription charges availed by subscribers during the initial subscription period. DPO's needs to be protected against any compensation considering the initial infrastructure cost invested in connecting the customer and the price of services availed by consumer as low as rs.100 per month.

To ensure that DPO does not bear sudden increases in any input costs like content costs or tax changes, DPO may be allowed to pass on such cost hikes to the subscribers.

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?

The framework for compensation could be in the form of replacement of similar channels as dropping of channels at times would be beyond the control of DPO and not done with any intent.

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.

There should not be compensation in terms of reduction in subscription charges as the same can be compensated with a similar channel by the DPO or by offering same number of channels as per the subscribed bouquet package.

In case we go for reduction in subscription charges , the calculation should be only based on average price per channel price calculated as (Total price divided by number of channels in the package offered to a subscriber).

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

DPO / LCO would always strive to restore the services at the earliest as he is dependent on the subscribers for survival as there is enough competition.

There are various factors of dependability which would pose a challenge to go in for a stipulated time but would not exceed more than 72 working hrs.

Cable network is vulnerable to several outside factors like power cuts, Cable cuts – due to accidents / unhealthy competition leading to sabotage due to which compensation to subscriber may not be possible considering the initial connecting cost and low ARPU from the customer base.

(b) Disruption due to technical fault of CPE at the subscriber's end

The disruption due to technical fault has lot of dependability on the customer premise conditions and acts of God like lightning which can be reduced by earthing in customer's place.

DPO should be protected against any compensation – especially in a tariff regime starting from Rs.100 – 150 pm which is too low to meet basic expenses of the DPO (like power, ROW, labour, spares, materials, bandwidth etc.) to deliver services to end customers.

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.

The duration of disruption depends on several stake holders other than MSO as like EB and hence need not warranty any compensation to customer from MSO alone. MSO network is on road and is cabled via supporting structures like poles on PWD roads or EB poles . Continued disruptions may occur due to Pole changing operations ,road accidents on poles etc. Damages due to Lightning also is another cause of disruption. Since MSO network works with active devices which needs electricity and

any prolonged outage from EB may result in disruptions despite UPS backup.

Nevertheless each MSO has got self-regulated SLA and will ensure speedy restoration of such disruptions.

In the case of CPE replacement, it should be mandated that the customers pick up from the office of DPO or LCO or its authorised partner to reduce the delays.

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?

The framework and terms and conditions for shifting of connection including timelines should be that of a new installation and hence a minimum period of five days.

The subscriber should surrender the STB in the previous location and submit the transfer request to the DPO by clearing the dues and get No Objection Certificate.

Once the DPO receive the STB in a good working condition, he will authorize the LCO in the new location to issue STB in the new location.

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?

Transfer of Ownership should not be encouraged as there would be a conflict within Subscriber Management System which is more crucial.

The procedure would be surrendering of current connection and applying for a transfer of ownership by collecting the new proof of identity and address and activation charges as defined by the DPO

This could be one way of effective utilization of STB and reduction of e waste.

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

There should be a minimum Idle asset charges/safe custody charges of Rs.100/- pm + taxes as applicable subject to a minimum of one calendar month and maximum of 3 months beyond which customer needs to surrender the STB and thereafter seek in a new connection / reconnection so as to protect the infrastructural cost of the DPO.

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

Gradual closure of service is a better option so that opportunity can be given to the customer on making timely payment by adopting the methods of STB alerts, disconnection of pay channels followed by disconnection of FTA channels.

DPO follows the bill cycle period of 1-30 days on the bouquet packages and 30 days cycle for Ala Carte pay channels .

SMS intimation on Pre & Post bill due payment date can be done. Additionally, we can make use of alert on STB , B mail after which the package can be changed to FTA between 31st to 37th day.

Deactivation of channels would be then based on credit policy designed by DPO while ensuring reminders of impending disconnection.

Q 22. Is gradual closure of service as discussed in para 8.23 is a feasible option? If so what should be procedure and the framework?

Gradual closure of service is a better option so that opportunity can be given by adopting the methods of alert, disconnection of pay channels followed by disconnection of FTA channels

Following would be the broad guidelines :

Dues Intimation through SMS application /telecalling/ voice OBD to subscribers regd mobile number

Email intimation, Alert on STB & B mail on 25th day of non payment.

SMS Intimation , Alert on STB on 30th day on change to FTA due to Non Payment

Deactivation of all channels on the 38th day of Non payment

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

As such the notice of closure of service the statutory notice period of 21 days required to be followed.

Q 24. Why uptake of mandated schemes for set top box (Outright purchase, Hier purchase, and on rent) is so low at present? How consumer awareness on these issues can be increased?

Several MSOs have to pay upfront for the boxes with all mandatory duties and taxes by borrowing the necessary amount which is not viable to MSO from a cash flow point of view and to collect installments from customers thereafter .

Since the STBs are collateral for the loan amount, the ownership is not with the MSO and hence they can not be sold outright till the loan is paid off and the ownership is transferred to the MSO

STB being a movable property is at high risk as far as MSO is concerned.

Q 25. What should be the consumer friendly common framework of CPE Schemes for providing CPE to consumers in digital addressable system? Please provide your comments with justification?

- a) Outright purchase by customer as practiced in all service industry needs to be considered for CPE taking into account the high economical procurement cost , service and duty taxes involved by the DPO.
- b) Another option is to collect activation fee from subscriber when the ownership is not with MSO and at the same time have cash flow.
- c) Another option is to increase the deposit amount from subscriber to that of Cost of STB including taxes and allow rental schemes which will ease cash flow pressure on MSOs at the same time the subscriber gets back the deposit when surrendering the STB.

Q 26. What should be minimum essential information related to a CPE scheme that must be made available to the consumers to safeguard their interests? Please provide your comments with justification.

The DPO should be given the freedom to decide the schemes that they wish to operate in offering that CPE depending upon the cost of the stb, its features etc.

The minimum essential information would be the price of different CPE/Product features /Warranty period and replacement policy of the devices.

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

The DPO should have the freedom to decide different category of CPE to be offered on their various schemes which comply to BIS standards.

MSO should also offer back to back warranty to subscribers – not less than 6 months from date of supply.

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

Yes Visiting charges are needed to cover cost of visits which would help the service provider to enable a better service level to the customer enhancing both QoS & QoE.

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

After the warranty period the DPO should be given the freedom to have an AMC for trouble free maintenance of the CPE till its term of use. The mandatory AMC conditions and the maximum of the AMC value can be allowed to be decided by the DPO and communicated transparently by DPO to subscribers.

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?

The provision for surrender of CPE in case of closure of service should be left to MSO for creating a termination policy.

If the ownership remains with DPO, it is subscriber duty to return the STB to the MSO/DPO.

Clearance of outstanding dues along with submission of CPE to service provider are needed to ensure the protection of DPO's interests.

Q 31. Please suggest the standards and essential technical parameters for ensuring good quality of service for the following digital addressable platforms:

e). Digital Cable TV

Maximum & Minimum RF levels to be supplied to CPE – 45 dB microvolt to 70 dB microvolt for 64 QAM
& 50 dB microvolt to 75 dB microvolt for 256 QAM.

- SNR	- 25 for QAM 64 & 30 for QAM 256
- MER	- 30 for QAM 64 & 34 for QAM 256
- BER	- 1E -4 to 1E -6

f). DTH

g). HITS

h). IPTV

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

The different methods of increasing the consumer awareness is by publicity of information through print media, channels and website and digital marketing tools. Alerts on STB's without blocking the view & B mail can be effectively used for timely communication.

The publicity shall not only publicize the availability of different packages, prices, conditions of service and complaint redressal mechanism etc.

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

The publicity of DPO through the website can be permitted to have adequate exposure to the DPOs relative advantage and availability of offers. It is also in the interest of the consumers that in the consumer corner the various consumer benefits which are mandated are clearly publicized with easy access to the consumer. This may include information of areas of presence of DPO, Packages/bouquets & rates, Ala carte packages , Add on packages , complaint redressal system etc .The idea in such a recommendation is that the consumer is constantly updated on their rights and obligations .

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?

Outsourcing of web based operations for complaint redressal and consumer feedback may be essential for smaller DPOs without compromising on the benchmark on QoS & QoE set by the DPO .

Tools which have access to basic sufficient information & DOA to service the customer can alone be enabled which will ensure no misuse of provisions of DPO.

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?

Alerts on STB's without blocking the viewer experience and B mail can be used effectively as In Channel Communication.

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

Calls on service requests received from the registered mobile number of the consumer can be linked to various services and the effectiveness of the control over the subscriber can be fully achieved in this method. However requests received with Unique Subscriber id , registered email, SMS confirmation are also considered to be linked to the subscriber verifiability for any change in service or provision of additional services,

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?

The verifiable timeframe for any consumer information through the mobile can be preserved for a duration of 30 days to three months depending on the nature of service requests and criticality of dispute nature arising on the same.

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

The optimal channel package for a subscriber can be between 5 to 8 without considering mix of local regional channels .

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?

Q 40. Whether the choice of Pre or Post paid method should be mandatorily made available to the subscribers?

Yes, the choice of Pre or Post paid method should be mandatorily made available to the subscribers.

Q 41. What should be the essential information contained in the monthly Bill/ Usage details to be provided to subscribers in post paid or pre-paid system?

The essential information contained in the monthly bill are

Customer subscriber ID along with registered address/usage details can be the price of the channels, with the nomenclature of bouquet, details of applicable taxes .

The Service tax registration number , Entertainment Tax registration number &TIN number

Address of regd office of DPO along with contact details and LCO contact details, Local office address and contact details , call centre number , email id of Nodal team for grievance addressal along with guidelines on dues control policy intimating the customer on the due date etc

Q 42. Should pre-paid method is encouraged in case of cable TV services provided through LCOs? Support your comments with justification.

Prepaid method can be encouraged in the case of cable TV services provided to the LCOs where the cost of the prepaid service can be made attractive against post paid service.

Prepaid mode enables the MSO with early revenue realization which would help the MSO in terms of content & Operational cost and will reduce the billing dispute and subscribers will be protected from disconnection against non payment and will have minimal impact on dues.

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

The suggested bill cycle for both prepaid and postpaid should be a calendar month for post paid and 30 days for prepaid.

Ala carte /add on packages should have a billing cycle of 30 days

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

Yes , The deduction of maintenance related charges for CPE and other VAS charges should always be in a separate header

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

The Toll Free number and call centre details can be publicized through

Advertisement released by the DPO placed in the website, Hoardings, pamphlets, monthly bill inserts ,SMS to RMN, Email, and alerts in STB without blocking viewer experience and Bmail.

Q 46. How response time and accessibility of call centre including that of the Call centre executive can be enhanced?

The response time and accessibility of call centre can be enhanced by the following :

Enable the customer multiple options of choice to access call centre for addressing enquiries/ Complaint registrations/ service requests/ Bill requests

SMS format to New connections/ Service requests/ Bill to a common number with a call back confirmation within subscribed timeline

Access to toll free (during 9.30am- 5.30 pm)

Call centre availability 24*7 with IVRS option for new connection / service requests/ Complaint registration/ Bill requests/ region wise /language wise
Web ticket registration & email resolution team

Customer Service App & online portal facility for placing service requests.

Q 47. Please provide your comments on the following performance parameters discussed in preceding paras related to call centre?

a. Call centre availability hours

Toll free between 9.30-5.30 ,
call centre from 7am-11pm and lean manpower during 12am -6am

b. Multiple languages in IVR

English/regional

c. Response time for answering IVR and voice to voice calls

Sub menu and accessibility of customer care executive

Region wise/ new connection/ service requests/Bill enquiry/

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

Timelines for complaint redressal at Nodal officer level would be response to customer within 8 working hrs and subsequent follow up for closure within guidelines set.

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

Yes, introducing web based complaint monitoring functions to third party and outsourcing of call centre will increase the efficiency of the compliance levels taking into consideration of call centre expertise within prescribed limits, workspace, 24*7 availability and real time based manning of call centre executives to handle the calls to provide QoE & FTR to the end customers of DPO.

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.

This would be a break through from conservative call centre approach to register a service request/complaint .Use of Mobile App, SMS , Online system Facilitates the customer for instant contact with the DPO for placing service request along with their unique subscriber id . Mobile App with the RMN and unique subscriber id can further pop up proactive information in case of major outages , billing details, dues etc which gives the customer a better QoS & QoE.

Q 51. What should be framework for implementation of electronic PMR?

The electronic PMR formats with more scope of providing consumer and DPO feedback can be introduced and the same will be helpful to monitor the complaint redressal mechanism

52. What should be framework for auditing of the records for QoS regulatory compliance by DPOs? Please suggest appropriate measures along with justifications.

The regulation can introduce an audit mechanism and after conducting an audit an audit report can be followed so that a continuous system for QoS compliance will be ensured once DPO and LCO are used to new addressal mechanism .

53. What should be framework for carrying out survey for QoS compliance and subscriber satisfaction?

Regulation can introduce the content of the audit mechanism to include the survey of QoS compliance also on a continuous basis and to regularly fill such a report with the regulatory body.

54. What should be the framework and quantum for financial disincentives for non compliance to the prescribed QoS benchmarks? Please suggest appropriate measures along with justifications.

The non compliance of QoS and other mandatory compliance/obligation should be handled at different levels with 2 stages of action for the regulators with seeking explanation, issuing a warning and a stipulated timeline for correction.

We do not propose financial disincentives for non compliance as this will add additional burden. The market forces will improve the QoS.

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

It is better that all channels carried on the platform of a DPO is shown in the EPG so that better option in viewing will be available to the consumer.