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**Comments of Eenadu Television Private Limited**

**to**

**Telecom Regulatory Authority of India's Consultation Paper Dated 20-July-2022**

**on**

**"Renewal of Multi-System Operators (MSOs) Registration"**

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We Eenadu Television Private Limited ("ETPL") would like to thank the Telecom Regulatory Authority of India ("TRAI") for giving stakeholder an opportunity for expressing their views and submitting comments on the topic of 'Renewal of Multi-System Operators (MSOs) Registration' by means of the present consultation paper ("CP") under reply. With the evolution of cable TV industry and broadcasting sector, it of utmost importance that functioning of each and every stakeholder of the value chain is structured. MSOs are the direct point of contact with the end users and thus to avoid any kind of inconvenience to consumer the registration and renewal of registration procedure of MSO needs to be streamlined. ETPL's pointwise comments on various the issues raised by the Authority in the CP:

**Q3.1 What should be the period of extension/renewal, to be prescribed in the Cable Television Networks (Regulation) Act, 1995 /Cable Television Networks Rules, 1994, on the expiry of the initial period of permission of MSO registration? Please elaborate your response with justification.**

**ETPL Comment:** We are of the opinion that the extension / renewal can be provided for a period of 5 years from the prospect of ease of doing business and hassle-free renewal procedure. However, we suggest that renewal shall be subject to MSO submitting annual compliance report with respect to compliance with the provision of Cable Television Networks (Regulation) Act, 1995 ("CTN Act") and Cable Television Networks Rules, 1994 ("CTN Rules") and report their status of compliance with the extant regulatory framework to TRAI as has been identified by the Authority as key regulatory provisions listed in Annexure III of the CP. If any MSO fails to submit the annual compliance report with the time frame prescribed by MIB at the time of granting renewal then registration of such MSO shall be subject to cancellation. In such compliance report it shall also be mandatory for MSO to submit information pertaining to acquisition or joint venture with other MSO during the year.

**Q3.2 Whether a one-time fee should be levied at the time of renewal of the MSO registration? If yes, please suggest amount of fee for such renewal to be prescribed in the Cable Television Networks (Regulation) Act, 1995 /Cable Television Networks Rules, 1994. Please provide detailed reasoning for your comment.**

**ETPL Comment:** Yes, renewal fees shall be levied at the time of renewal, quantum of the fees can be decided by the Authority or MIB which shall be at par with standard industry practice.

**Q 3.3 Should a time window be prescribed before the expiry of MSO registration, within which the MSO shall apply for renewal of the MSO registration?**

**ETPL Comment:** We suggest that the renewal procedure shall start at least before 6 months and shall conclude before 30 days from the date of expiry of existing registration of the MSO, so as to ensure a smooth renewal procedure and also to provide MSO ample time to respond to any query or compliance requirement at the time of such renewal. This will ensure that general public do not suffer on account of non-renewal of the MSO registration.

**Q3.4 In case an MSO has applied for renewal, and the final decision on renewal is pending, what should be the provision to ensure continuity of service for the consumers on expiry of previous registration?**

**ETPL Comment:** Please refer to our response to Q3.3, where we have submitted that the renewal procedure shall conclude before 30 days from the date of expiry of existing registration of MSO. If MSO fails to obtain renewal with the stipulated timeline, then MSO shall take necessary steps to inform its subscriber by running scroll regarding non-renewal of its registration, expiry date of registration and possibility of discontinuation of service.

**Q 3.5 In case an MSO hasn't applied for renewal before the expiry of its registration:**

**3.5.1 What should be the status of services by such MSO after the expiry of registration? As per extant guidelines/ regulations an MSO with valid registration only can get the signals of a television channel. Should a broadcaster disconnect the television channels for such MSOs whose registration has expired?**

**3.5.2 Should existing registered operational MSOs be provided with an extended time beyond the original registration period for applying for renewal? What should be the maximum time after expiry up to which an application for renewal can be entertained by MIB?**

**3.5.3 Should there be an additional fee for such applications that are received after the expiry of registration period?**

**ETPL Comment:** Please refer to our response to Q3.3 and 3.4 above.

**Q3.6 Should some qualifying conditions be prescribed for renewal of MSO registration, under which the MSO, along with the application for renewal, shall be required to submit its compliance status with the terms and conditions of registration and the extant regulatory framework?**

**Please provide the details of:**

**(i) List of necessary compliances that should be mandatory for considering renewal of MSO registration,**

- (ii) List of documents, which may include, but may not be limited to, self-certifications, NOCs from TRAI/MIB/licensing authority, audit reports etc. that would be required to be submitted for verification of such compliances at the time of application,
- (iii) Any other mandatory requirements for verification of status of compliances of the MSOs before grant of renewal of registration.

**Please elaborate your suggestions with reasons for the mandatory requirement of each compliance in tandem with ease of doing business in the television distribution network.**

**ETPL Comment:** The Authority has already jotted down essential compliance requirement under Annexure III of the CP. We submit that the Authority also shall consider the following point to be added to the compliance requirements for renewal of MSO.

- (a) The renewal form shall be accompanied with latest audit report of the digital addressable system of MSO for the year in which such renewal application is being submitted, along with a declaration that such audit has been conducted every year by the MSO. This will ensure that the systems deployed by MSOs are in complete compliance with the extant regulation.
- (b) MSO shall provide a self-certification that the MSO is in complete compliance with the extant interconnection regulation, tariff order and QoS regulation notified by TRAI. This will ensure complete compliance of the regulatory framework.
- (c) The application shall also be accompanied with no dues certificate from all broadcasters with whom the MSO has executed interconnection agreement during last 10 years for availing signals of the channels of such broadcasters. This will ensure existence of ethical and financially stable players in the industry.
- (d) Applicant shall have minimum net-worth, as may be reasonably prescribed by the licensing authority, and the same shall be maintained at all time during the term of registration. The Authority may decide requisite net worth value keeping in mind the amount of investment required for deploying standard equipment of approved parameters and also the amount of capital required for running day to day activities of MSOs business. Minimum net-worth requirement with a view that a registered MSO shall be capable enough to maintain the required and regulatory complied infrastructure for providing efficient connectivity to end user. In addition to the above having a minimum net-worth will ensure proper installation and timely maintenance of the infrastructure required to run MSOs business with optimum consumer support facility.

- (e) All platform services of the MSO shall be listed in separate annexure of the application for renewal.
  
- (f) Application for renewal shall be accompanied with details of person managing the business along with the address, contact number and email address of such personnel. This will ensure accountability on part of business owners.

**Q 3.7 Should there be any additional terms and conditions for renewal of the permission for MSO registration? Please elaborate.**

**ETPL Comment:** In addition to our submission to 3.6 above we would also like to submit that every MSO shall furnish certificate for CAS & SMS, deployed at its each headend, issued by the Telecommunication Engineering Centre (TEC) DoT, which has been designated by TRAI as the Testing and Certification Agency for CAS and SMS used for Broadcasting and Cable TV services as per order dated 21-09-2021. In case there are any observations mentioned in summary of test then MSO shall furnish details about proof of mitigating such shortcomings and retesting of equipment. This will ensure that the equipment deployed at each headend of the MSO are in complete compliance with the extant regulation and are capable to cater to the need of end users.