



Via: Email/ Courier

Date: December 10, 2018

To:

Shri. Asit Kadayan,
Advisor (QoS),
Telecom Regulatory Authority of India (TRAI),
Mahanagar Door Sanchar Bhawan,
J.L. Nehru Marg, (Old Minto Road)
New Delhi - 110002, India
Email: advqos@trai.gov.in

Re: MPDA recommendations on the TRAI Consultation Paper on Regulatory Framework for Over-The-Top(OTT) Communication Services

Dear Sir,

The Motion Picture Dist. Association (MPDA) is a trade association representing six major international producers and distributors of films, home entertainment and television programs.¹ The companies that we serve devote substantial effort and resources to developing a wide range of entertainment content and services in a variety of formats and on a variety of media, including the Internet. We thank TRAI for the opportunity to comment on the above consultation on proposed regulatory framework for OTT communication services.

As many matters referenced in the consultation paper are not directly related to our studio members' core business interests, our comments below are tailored accordingly. MPDA accordingly wishes to offer the following key comments and recommendations in relation to key questions raised in the aforesaid consultation:

¹ The Motion Picture Dist. Association (India) Pvt. Ltd. (MPDA), is a wholly-owned subsidiary of the Motion Picture Association, a trade association representing six major international producers and distributors of films, home entertainment and television programs: Paramount Pictures Corporation, Sony Pictures Entertainment Inc., Twentieth Century Fox Film Corporation, Universal City Studios LLLP, The Walt Disney Studios and Warner Bros. Entertainment Inc.



The scope of the consultation paper is focused only on regulatory issues and economic concerns pertaining to such OTT services as can be regarded the same or similar to the services provided by Telecom Service Providers (TSPs) and the need to subject such OTT services to the same licensing and regulatory requirements which currently apply to the TSPs. The primary reference in the paper pertains to OTT communications - based services which seem to have created a dent in the revenue of the TSPs.

We respectfully suggest the adoption of the ‘same service rules’ approach through the application of traditional regulatory and licensing requirements to new technologies will be a huge step backward. Instead there is a need to overhaul existing regulations to recognize and accommodate the overwhelming potential of data services as the future.

Technology and innovation are at the heart of transforming India. India has inherent strengths that support a vibrant start-up culture. The reason for the success of OTT is because it is giving value to end customers, adding billions in productivity of businesses and enhanced quality of life. Any regulation would throttle this ability to innovate, stymie the growth of the start-ups and the tremendous benefit offered to customers by way of innovative solutions at low or no cost would get severely affected.

We therefore recommend that OTT services not be subject to regulations that curb innovation and growth.

Best Regards,

Uday Singh
Managing Director
Motion Picture Dist. Association, India