

To,

Date:08-07-2013

RK Upadhyay,

Telecom Regulatory Authority of India,

New Delhi,

**Sub: Consultation on Monopoly/Market Dominance in Cable TV services**

**03 June 2013**

**Monopoly/ Market Dominance**

**Not Enough Competition**

**Counter comments**

1. I oppose comments some MSO like SitiCable Fastway, GTPL, Hathway, ORTEL, TNN, Nitish Desai saying enough stiff competition is there in cable and DTH, is totally wrong.
2. We consumer prefer cable than DTH because of better service and ready availability of Technician. My comment is that DAS is no good. BIG MSOs have created MONOPOLY of Areas. My old cable operator who was giving me service for many years has withdrawn from area because his MSO has divided the area. MSOs have also divided area amongst themselves. Consumer is unable to get variety of Services.
3. Since Monopoly of MSO/LCO is there no quality service, high price, forced Bouquet channels are given to consumers. No A-La-carte pricing is given on TV channels as scrolls.(It is being given for CAF/SAF Forms and advt for Disconnection).

4. Lineman of cable operator tells us to take DTH. We don't want to take DTH as they are expensive, no service, switch off problem, call center problems, package gets changed. Services get switched off.
5. Cable is best but monopoly and Division of area by MSO of LCO should be stopped by TRAI
6. I oppose Time Television comment on HITS. As far our knowledge there is no HITS in the market. Jain Hits fully operational yet to give competition.
7. IPTV is not there in many areas. It is not even.

Why MSO/Broadcaster suggesting when CONSUMER should go.

**Restrictions--- Q-(3,4,5,6)**

In one Area colony/ Apartment-4 MSO, 4 Cable Op, DTH,IPTV, HITS should be available.

**Market Power (Q-2)**

As per TNN comments in Q2/ Answer(ii)

**MSOs enjoy multiple revenue sources viz:- subscription, carriage, ad sales, with added advantage of better infrastructure.**

**Counter Comment-**

When these MSOs are making so much money, then why are they charging so much from consumers. Why they don't give subsidy to consumers. Division of area amongst LCOs by MSO is to create MONOPOLY. They create monopoly to increase price, thrust unwanted channels in bouquet, give poor service. **MSOs also making money from their Direct Point**, where NO LCO is there.

### **CONTROL (Q-7, 8, 9, 10)**

Regulator(TRAI), Govt should declare A-la-carte price of channel, HD Channels. Broadcasters, MSO, LCOs should not thrust/ force channels to consumers in "BOUQUET". **DAS(Digital Addressable system fails) due to forced Bouquet Channels**. Let consumers make their own Bouquet in Addressable Regime.

TRAI should ask MSO/LCO how many consumers have made their own Bouquet or given chance to make their own Bouquet.

### **Disclosures (Q-11, 12,13)**

Quartely Disclosure should be there for all, Broadcaster/Aggregator MSO, LCO.

Disclosures of all stake holders should be in public domain and under the Ambit of RTI.

Following disclosures should be made available in public domain:-

1. Equity structure of the entity/company of Broadcasters, MSO, LCO, DTH, IPTV, HITS or any other.
2. Share holding pattern of the entity/company.
3. FDI pattern of the entity/company.
4. Interests of other entities/ companies, having shareholding beyond a threshold in the Cable TV entity/ company under consideration.

**Above disclosures are important to ensure transparency in market control by key players and put a check on monopolistic trend.**

- Details of key executives and Board of Directors of the entity/  
Company.

**This information will ensure that operators are not creating new entities with same ownership pattern to create monopolistic trend.**

- Details of Subscribers served

Subscriber base data will provide market share information to keep check on any growing monopoly by any operator.

- Details of areas of Cable TV operation.

3A. Details of partners/ major shareholders/board of Directors of foreign company investing in the entity.

3B. Details of other investments made in India by the foreign investor.

This information should be in Public Domain and can be educative for customers.

- **Details of revenue earned from services provided through cable TV network(Broadcasters, Aggregators, MSOs and LCOs, JV/Distributors.**
- **“ALL information SHOULD BE UNDER RTI”.**

#### **Q-14 Amendment in Rules executing orders.**

In cable TV services, Broadcaster/Aggregators play important Role. They should also be brought under the Ambit of this Consultation Paper. They all should be brought under RTI Act.

Cable TV service of MSO/LCO is not complete without Broadcasters.

So all, Broadcasters/Aggregators, MSO/JV/ Dist, LCOs should be Regulated under Cable TV services.

No MSO/LCO can run network without Broadcaster/Aggregator. So Broadcasters/ Aggregator should be included.

- JV Partners/Dist of MSOs should also be included.

#### **Q-15 Other issue .**

Counter comment-TNN- Rationalize Carriage Fee.

As per TNN, MSO take huge **carriage fees** which should be rationalize. (LCO claim that they don't get anything)

#### **Subsidy on consumer Monthly Bills-**

As Broadcaster and MSO are earning lot of money from Advertisement, Subscription, Multiple delivering platforms and Carriage Fees, so consumer should **get subsidy/rebate in their monthly bills.**

MSO and Broadcasters Both together are penalizing poor CONSUMERS, cheating them by increasing monthly subscription.

- a) Pay channel content is full of Advertisement.
- b) Not giving subsidy to consumers on PAY channels filled with Advertisements
- c) Forcing unwanted channels in Bouquet by making packages.
- d) No A-la-Carte channel and their price.
- e) Giving poor quality blaming each other.

TRAI, Govt, Broadcaster, MSOs, LCOs All together are cheating CONSUMERS penalising them. Making such Regulations where consumers is being directed/ forced to take DTH even if he can't afford. DD Direct is no good. HITS negligible, IPTV not available. All MSOs are also suggesting CONSUMERS to go to DTH in case problem. BUT DTH NO GOOD.

**SUGGESTIONS: QUICK Redressable for CONSUMERS**

SitiCable, GTPL, Ortel, Fastway, Hathway, Nithish Desai. TNN and many other are telling to go to CCI, TDSAT, COURT, MRTP etc.

**“ A poor consumer of Jhuggi Cluster, who is paying Rs 100 to 150 now is told to go to these court after hiring expensive lawyer and waste time or get JUSTICE. Jhuggi customer cannot afford expensive LITIGATION.**

Is TRAI working for Big Broadcasters/MSOs where in CONSUMER interest/security not taken care of.

Quick Redressable system should be made with local **SDM/DM** etc/ or Nodal Officers as done during seeding of STBs.

**- Q.15**

**FDI and Global Investment**

As per Ortel and other MSOs lot of funding is required for Digitalization already **LOOTING of CONSUMERS in the name of Digitalisation**

None of the MSOs/LCOs/Broadcasters/ Govt and TRAI have given free STBs to Consumers.

In Digitalisation consumers has been forced to BUY set-top-box from MSO/LCO. (Old Technology, cheaper quality without standard).

Money has been taken in disguise. It is not cost of STB, **it is Activation Charge.**

**TRAI/GOVT** has done nothing. If MSOs and Broadcasters get Foreign Global investment they will use this to buy off LCOs and create further monopolies and horizontal integration.

Thanks,

Yours Sincerely

Mihir Kumar

WZ 305A, Palam Village,

New Delhi 110045