

# Times Global Broadcasting Company Ltd.

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Pr. Advisor (B&CS)  
Telecom Regulatory Authority of India  
Mahanagar Doorsanchar Bhawan,  
Jawaharlal Nehru Marg,  
New Delhi- 110 002

Dear Sir,

We, Times Global Broadcasting Company Limited (TGBCL) welcome TRAI's initiative for floating a Commercial Paper on DTH Issues relating to Tariff Regulation and New Issues on DTH.

Our views on issues for consultation are stated as follows;

## **Tariff fixation for DTH services**

### **Comments of TGBCL**

- (1) Yes, there is a need to regulate and fix tariff for DTH services in the country. Since both DTH and Cable TV are competing platforms delivering the same service, it is equally important to bring about consistency in regulating comparable addressable platforms.
- (2) The regulation of tariff has to be carried out at both levels i.e. the regulation of tariff as between the broadcasters and DTH operators (wholesale tariff) and also the tariff between the DTH operators and subscribers (retail tariff).
- (3) The broadcasters should make available their channels on a-la-carte basis to DTH service providers and declare both the a-la-carte and bouquet prices of their channels for distribution on the DTH platform. In our view the freedom of pricing the channels, be it the a-la-carte or the bouquet price, should be with the broadcasters.
- (4) In the event a DTH operator demands a higher 'Technical Fee' then, the broadcaster should be entitled to a higher share of revenue, as risks associated with the content are always borne by the broadcaster.

## **Comparison with CAS**

### **Comments of TGBCL**

Since DTH service and Cable TV are competing platforms providing similar services, the DTH operators should therefore be required to make available the pay channels on a-la-carte basis to the subscribers as the cable operators are required to do in the CAS areas. This would provide a level playing field for both the platforms and would also bring about consistency across addressable systems.

From the consumers' point of view, this would provide a wide range of channels to choose from and would also encourage the DTH operators to employ suitable subscriber management and conditional access systems as a part of its service.



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## **Other Relevant Issues**

### **Comments of TGBCL**

It is important to note that while broadcasters are required to provide their channels to DTH operators on a 'non-discriminatory' basis, in terms of Clause 3.2 of the Interconnect Regulations, no such obligation has been cast on the DTH operators to carry the channels of the broadcasters on similar 'non-discriminatory' basis i.e. without charging carriage fees.

The 'Technical Fee' charged by DTH operators should necessarily be a transparent fee that covers the costs of carrying a broadcaster's channel in addition to the costs incurred in hiring transponders, royalty for conditional access systems, hiring of technical personnel etc. In the event a DTH operator demands a higher 'Technical Fee' then, the broadcaster should be entitled to a higher share of revenue, as risks associated with the content are always borne by the broadcaster.

In determining the Technical Fee so payable, the level of adherence by the DTH operators to the QoS regulations stipulated by the Authority should be examined.

We are not offering any specific comments on the prayers made by M/s Tata Sky Ltd. in their writ petition.

## **NEW ISSUES ON DTH UNDER REFERENCE FROM THE MINISTRY OF INFORMATION AND BROADCASTING**

### **Provisioning of new services on DTH platform**

#### **Comments of TGBCL**

TGBCL does not intend to offer any comments on the provisioning of new services on DTH platform at this point of time.

### **Radio channels on DTH services**

#### **Comments of TGBCL**

It is our view that since radio signals are only audio signals by nature, resulting in lower bandwidth requirement for carriage and similar reception equipments, radio content should be made available on DTH platforms without any stipulation of carriage fees. This would enable radio channels to reach a wider spectrum of its audience on television as well, and would therefore increase advertising revenues. Since radio is free to air and generates revenue only through advertising, its availability on the DTH platform would help increase relevance to advertisers and generate more revenue from advertisements.

Radio compliments television in meeting the entertainment needs of the masses and hence, the availability of radio channels on the DTH platform will increase the total consumption time of the DTH service. The view is that irrespective of being a Free-to-Air or Pay Channel there should be a revenue sharing arrangement whereby the DTH operator shares a percentage of the subscription revenue with the FM Channel.

Further, the 'must provide' policy and non-discriminatory offering of channels under the Interconnection Regulations, which today cover only TV channels should also be

extended to cover radio channels, thus ensuring a 'non-discriminatory' and transparent treatment to all FM radio players. In addition, to ensure a level playing field between various DTH operators, the restrictions on cross media holdings as recommended by the Authority in the broadcasting sector should exist between the radio and the DTH operator.

We request you to kindly take note of the above.

Yours sincerely  
For Times Global Broadcasting Company Limited

*R.V. Jyothi*

Jyothi Suresh Kumar  
Senior Manager (Legal) & Company Secretary