Fwd: Written Comments

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-------- Original Message --------
From: **Ramesh Bhushan Sahajpal** <nurbaks78@gmail.com>
Date: Aug 22, 2019 3:50:58 PM
Subject: Written Comments
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Written Comments on the draft Regulation

Draft (Second Amendment)

to

The Telecommunication (Broadcasting and Cable) Services Standards of

Quality of Service and Consumer Protection (Addressable Systems)

Regulations 2017

9th August,

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The proposed regulations envisaging a third party API giving an alternative opportunity for exercising of viewing choice to a customer of DPO will neither improve Quality of Service nor enhance Consumer Protection as anticipated because of following reasons:

In the explanatory memorandum inter-alia:

1. TRAI has listed a number of issues which are being faced by consumer at the hands of DPO.

2. The proposed regulations do not address these issues at all except for one of channel selection. As" TRAI is seeking the comments of the stakeholders on the issue of developing of App by third parties and consequent sharing of information using API between DPOs and

third party developers enabling consumers to have ease in selection of channels of their choice and reduce TV viewing charges by optimizing their subscription while allowing them to view TV channels of their interest."

3. For that also consumer is being subjected to a Third Party whose functioning is heavily dependent on DPO data. The most important being the authentication of the subscriber. In this regard" TRAI intend to mandate all the DPOs to compulsorily share information with the apps after authenticating the subscriber so that such apps can help in easy selection of the required TV channels." Has DPOs cared for TRAI mandates in the past? If they had then need for new regulations would not have arisen.

4. The DPO data itself is suspect and not user friendly at all either in accessibility or in fidelity.

5. What data will be used by DPO for authenticating a customer/subscriber? RMN, e-mail, Customer ID, Address of installation individually or in combination? In reality none of these individually or in combination are working for accessing DPO Application "my tatasky" in case of TATASKY. In such a case authentication is bound to fail. Apprehension is that DPOs shall ensure that it fails if judged by their present/past record ultimately failing the noble goal of third party API for channel selection.

6. Supposing authentication hurdle is crossed then "Upon successful validation, consumer will get session token to fetch further details. i.e. consumer's current subscription." Obviously this information will be as available in DPO data base and most likely will be the channels being provided by the DPO. There may not be one to one correspondence between the channels asked for by the subscriber and those provided by the DPO. This type of verification is not feasible as data is just not shared by DPO and if any discrepancy is ever brought to the notice of DPO it never gets resolved. DPO are just impervious to subscriber discomfiture.

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Channel Selection System

APIs Specifications

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7. The term DPO is occurring about '35' times in API showing extreme dependence of the same on DPO which is far from matching with user/subscriber/customer/consumer perception as is evident from Explanatory Memorandum which clearly highlights the highhanded behavior of DPO. Where is remedy for a user if he/she gets stuck with API.

due to poor/irresponsible action from DPO.

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SUGGESTIONS

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8. The proposed regulations may be put on hold as in the present state will not TAME the DPO but will definitely LAME the user who is already a harassed lot at the hands of DPO in one form or the other.

9. There is need for regulation for TAMING DPO to make them sensitive to user needs who ultimately pay collectively for DPO and others connected through DPO.

10. Concurrently there are two consultation papers going on whose outcome will surely have repercussions on API SPEC.

Consultation Paper

on

Consultation Paper

on

Tariff related issues

for

Broadcasting and Cable services

11.API is silent on multi TV which is a reality and DPO are fleecing money on such configurations. They are charging both MCF and Multi TV charges on their own whims and fancies. These issues form part of concurrent consultation papers. So holding on to regulations becomes more imperative till various issues get resolved.

12. For making API useful and effective there is a strong need for complete correspondence between user needs, needs as captured and billed by DOP before API interacts with DPO. This cannot be just left to DPO. There is a need for immediate Impendent Evaluation. Let Third Party Audit that before user are subject to API. Let there be Independent Audit of correspondence of user needs as perceived by user, user needs as captured and billed by DPO. Till then proposed regulations be kept on HOLD.

13.A term "Customer" has been defined. But similar words like user, subscriber have been used in main body of API. These need to be defined separately and unambiguously.

14. Customer defined is restricted to only existing customer of a DPO What about someone who wants to choose a DPO out of those available? Let scope of PI be enhanced to cover this requirement so as to make it really universal in NATURE.

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