

Media and Entertainment January 2020

New Year surprise for broadcasters – ARPU to witness a decline as monthly bills of subscribers to go down by 6-14% for a-la-carte channels

Subrata Ray +91 22 6114 3408 subrata@icraindia.com Kinjal Shah +91 22 6114 3442 kinjal.shah@icraindia.com

Sakshi Suneja +91 22 6114 3438 sakshi.suneja@icraindia.com



OVERVIEW

On January 1, 2020, The Telecom Regulatory Authority of India (TRAI) amended some provisions of the Telecommunication (Broadcasting and Cable) Services (Eight) (Addressable Systems) Tariff Order, 2017. The Tariff Order, which became (mandatorily) effective from April 1, 2019 provided a framework for the pricing of television channels offered to subscribers as well as in interconnection agreements among the various industry participants, including broadcasters and the distribution platform operators (DPOs). The Tariff Order had aimed at giving the subscribers their right to choose, by mandating the broadcasters to declare the nature of channels as free to air (FTA) or pay channel as well as declare a-la-carte pricing of all channels. Contrary to TRAI's expectations, given the high channel pricing of the popular general entertainment channels (GECs) and sports channels (majority of which -66 of the 330 existing pay channels- are priced at the ceiling rate of Rs. 19 per month), the very purpose of the Tariff Order was defeated, resulting in surge in bills for subscribers (by 13-23%, as per ICRA's estimates). Furthermore, bouquets continued to dominate the subscription patterns, thereby allowing broadcasters to continue push their non-popular channels on to the subscribers (subscription of most popular channels on a-la-carte basis is less than 10% compared to

bouquet-based subscription). The recent amendments introduced by TRAI endeavour to correct this anomaly. These amendments are slated to come in effect from March 1, 2020.

Monthly bills to reduce by 6-14% for a-la-carte channels, thereby making them more attractive than bouquets

As per ICRA's analysis, the proposed changes in tariff could potentially lower the direct-to-home (DTH) / cable bills of the subscribers by upto 14% (refer Exhibit 1) from the present levels and encourage subscribers to exercise their right to choose and opt for a-la-carte channels. ICRA expects reduction in prices of popular GECs and sports channels from Rs. 19 per month to Rs. 12 per month, given the revised ceiling rates for a-la-carte channels, to be included in bouquets. The amendments also seek to improve the attractiveness of a-la-carte channels, by reducing discounts that can be offered on bouquet pricing to 33% (vis-a-vis a-la-carte prices, from existing average levels of discounts of 40-54%), as well as through introduction of two new conditions of i) capping the maximum retail price (MRP) of a-la-carte channel that can be included in a bouquet to upto three times of the average MRP per month of a pay channel of that bouquet and ii) MRP, per



month, of a pay channel to not exceed the MRP, per month, of the bouquet containing that pay channel. While ICRA does not expect the bouquet prices to increase, the channel offerings under the bouquet are expected to reduce as broadcasters adhere to the above mentioned twin conditions. As per ICRA's analysis, while an earlier bouquet price of Rs. 349 included 81 pay channels, the same is now expected to fetch only 51 pay channels. However, the same should not adversely impact the subscribers, as their viewing is largely restricted to few popular channels.

TRAI has also increased the channel offerings for the network capacity fee (NCF) of Rs. 130 (excluding taxes) per month to 200 standard definition (SD) (pay or FTA) channels from the present 100 SD channels. Furthermore, the 26 mandatory Doordarshan (DD) channels are now to be offered free of cost, over and above the 200 SD channels in the same NCF of Rs. 130. The NCF required to be paid for channels more than 200 has also been capped at Rs. 160 per month (excluding taxes), as against the present NCF of Rs. 20 for a slab of every 25 channels over 100 channels. This is expected to reduce the NCF burden on the subscribers, especially those opting for channel bouquets (owing to the large number of channel offerings). However, the overall impact of the same on the subscription charges will be negated by the non-availability of discount of 15% on the MRPs of channels offered under a bouquet to DPOs (which is being currently passed on to the subscribers).

The DPOs however, shall continue to enjoy 15% incentive from the broadcasters on the MRPs of a-la-carte channels, which is expected to be passed on to the subscribers opting these channels.

TRAI has also introduced provisions relating to NCF charged for multi-TV homes and long-term subscription plans, both of which favour the subscriber. The NCF for every additional TV in a multi-TV home has been capped at 40% of the declared NCF for the first TV, as against the current practice of uniform NCF across all TV connections in a multi-TV home. Furthermore, DPOs shall allow distinct choice of channels and bouquets of channels to each TV connection in a multi-TV home. While the existing tariff order is silent on the provisions pertaining to long-term subscription plans, the recent amendments allow DPOs to offer discounts on NCF as well as the distributor retail price (DRP), for long-term plans (minimum tenor of six months) as per their discretion.



Credit negative for broadcasters; mixed bag for DPOs

The amendments are expected to be a mixed bag of positives and negatives for DPOs. The overall reduction in NCF and the cap on NCF to be charged for additional TVs in a multi-TV home is negative for the DPOs. Furthermore, the discount of 15% on MRP of channels provided under the bouquet has also been done away with, though the DPOs will most likely offset the same by way of withdrawal of discounts offered to subscribers. TRAI has, however, allowed DPOs to offer different NCF across geographical regions (state / district / towns) as well as offer promotional schemes (on NCF / DRPs), upto 90 days at a time, twice in a calendar year. DPOs are additionally allowed to offer discounts on NCF / DRPs for long-term subscription plans. This is a credit positive for DPOs given the lock-in of subscriber base for longer duration (thereby reducing churn of subscribers) as well as advance receipt of funds which will support their working capital needs.

For the broadcasters, the recent amendments will adversely impact their revenues. The subscription revenues are expected to reduce (as subscription charges for a-la-carte channels will reduce and also due to the expected shift of subscribers from bouquets to a-la-carte selection). Furthermore, given the reduction in the number of channels that can be offered in a bouquet (for a given price), bundling of non-popular channels with established ones will reduce, thereby impacting their reach and thus advertisement revenues for

the broadcaster. The amendments will thus necessitate renewed efforts on the part of the broadcasters on pricing and bouquet composition, so as to minimise the adverse impact on their profitability. In such a scenario, broadcasters could also possibly convert some of their non-popular channels from pay to FTA, to improve their reach. This, however, would eventually lead to increased focus on content quality.



What has changed in the Tariff Order?

	EXISTING REGIME		NEW REGIME	EXPECTED IMPACT ON STAKEHOLDERS	
BOUQUET PRICING	 K No cap on discounts offered on bouquet pricing (vis-a-vis a-la-carte prices of channels included in the bouquet) K Price ceiling of Rs. 19 for any channel that is included in the bouquet K Broadcasters can offer discounts, on the MRP of a pay channel or bouquet of pay channels, to DPOs not exceeding 15% of the MRP 		Cap of 33% on discounts offered on bouquets vis-a-vis a-la- carte prices of channels included in the bouquet Price ceiling for any channel to be included in the bouquet reduced to Rs. 12 Broadcasters are not permitted to give any discounts on bouquets to DPOs, though may continue giving so for a-la- carte channels MRP per month of any a-la-carte pay channel, forming part of a bouquet, cannot exceed three times the average MRP per month of a pay channel of that bouquet ¹ MRP, per month, of a pay channel shall, in no case, exceed the MRP, per month, of the bouquet containing that pay channel Number of bouquets of pay channels offered by a broadcaster at any given point of time should not be more than the number of pay channels offered by that broadcaster on a-la-carte basis. Any exception to this, is required to be approved by TRAI on a case to case basis. No cap on number of bouquets provided by the DPOs	 ↑ Consumers – Positive (if they shift to a- la-carte) ↓ Broadcasters - Negative ↓ DPOs - Marginally negative 	
NETWORK CAPACITY FEE (NCF)	 X NCF, per month, per set-top box, for upto 100 SD channels (FTA or pay) is capped at Rs. 130 (excluding taxes). These 100 channels to mandatorily include 26 DD channels X Additional slabs of 25 channels (above 100 channels) to be provided at NCF of Rs. 20 (excluding taxes), per month. X Every DPO required to offer at least one basic bouquet of 100 FTA channels including all the mandatory channels as per the Government of India 	 	Number of SD channels to be offered for NCF of Rs. 130 (excluding taxes) per month increased to 200. Mandatory 26 DD channels to be offered free of cost. Effectively, a subscriber will get 226 channels for Rs. 130 (excluding taxes). Ceiling of Rs. 160 (excluding taxes) on NCF introduced, if total channels opted by subscribers exceed 200 Requirement to offer basic service tier done away with	 ↑ Consumers - Marginally Positive ⇔ Broadcasters - Neutral ↓ DPOs - Negative 	
				↑ Consumers - Positive	

¹ If the MRP of a bouquet is Rs. X per month and there are Y number of pay channels in that bouquet, then the average MRP per month of a pay channel of the bouquet shall be Rs. X divided by Y

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EXISTING REGIME				NEW REGIME	EXPECTED IMPACT ON STAKEHOLDERS		
PROMOTIONAL SCHEMES	X	Not allowed. DPOs mandated to charge similar NCF across geographical regions	1	DPOs allowed to offer promotional schemes. The duration of such scheme to not exceed 90 days at a time and more than twice in a calendar year DPOs permitted to declare different NCF for different regions / areas, such as state, district, town within its service area	 ⇔ Broadcasters - Neutral ↑ DPOs - Positive 		
MULTI-TV HOMES	х	No explicit provision. The Order mandated uniform channel pricing across multi-TV connections, though did not prohibit discounts on NCF		 NCF for every additional TV in multi-TV homes capped at 40% of the declared NCF for the first TV TRAI has defined multi-TV home as a household having more than one TV connections in the name of a single person under a single subscriber ID DPOs to allow multi-TV home subscribers to choose different set of channels for each TV connection 	 Consumers - Positive ⇔ Broadcasters - Neutral ↓ DPOs - Negative 		
LONG-TERM SUBSCRIPTION PLAN	x	No clear provision. DPOs are required to declare NCF and DRPs of channels and bouquet of channels on a monthly basis		Long-term subscriptions plans to have minimum tenor of six months DPOs allowed to provide discount on NCF and DRPs for long- term subscriptions at their discretion	 ↑ Consumers - Positive ⇔ Broadcasters - Neutral ↑ DPOs - Positive 		

Source: TRAI, ICRA research





Exhibit 1: Monthly bills under various scenarios

Family of 2			Family of 4		Family of 6 or More					
	A-la-carte		A-la-carte		A-la-carte			Bouquet		
Genre	# of channels	Price (Rs.)	# of channels	Price (Rs.)	# of channels	Price (Rs.)		# of channels	Price (Rs.)	
GEC	-	-	2	22-24	3	34-35	Star	12	49.0	
Sports	2	24	2	24	2	24	TV 18	6	22.0	
News	2	1-2	2	1-2	2	1-2	Sony	8	31.0	
Movies	2	13-24	2	13-24	2	13-24	Zee	10	39.0	
Kids	-	-	1	6-8	2	7-14	Disney	4	10.1	
							Times Network	4	5.0	
							NDTV	3	3.4	
							TV today	2	0.8	
							Turner	2	5.7	
Monthly Bill										
Network Capacity Fee		130.0		130.0		130.0			130.0	
Add: Pay Channel Costs		38-50		66-81		79-99			165.8	
Add: GST @18%		30-32		35-38		38-41			53.2	
Less: Discount @15%		6-7		10-12		12-15			-	
		402.205		224 227		225.255			240	
Total (Rs. per month)	6 Pay + FTA	192-205 204-223	9 Pay + FTA	221-237 240-271	11 Pay + FTA	235-255 264-296		51 Pay + FTA	349 346	
Total (As per the existing Tariff Order)				-				81 Pay + FTA		
% Change		Reduction in bill by 6-8%		Reduction in bill by 8-13%		Reduction in bill by 11-14%			Increase in bill by 1%, with reduced channel offerings	
Source: ICRA research; Same channel offerings as considered in ICRA previous report on Tariff Order issued in March 2019 have been used to calculate the relative impact on pricing. A-la-carte channel pricing has been										

capped at Rs 12 under the new changes. MRP of pay-channels as on October 21, 2019 has been considered. While some of the broadcasters have introduced festive offer pricing on GECs, same has not been considered owing to promotional nature of such schemes. Bouquet pricing has been largely kept at existing levels for packs, subject to meeting of the 33% discount condition as proposed by TRAI. The channel offerings under the bouquet are, however, expected to reduce to comply with the new twin conditions-i) capping of the MRP of a-la-carte channel that can be included in a bouquet to upto three times of the average MRP per month of a pay channel of that bouquet, ii) MRP, per month, of a pay channel shall, in no case, exceed the MRP, per month, of the bouquet containing that pay channel

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Exhibit 2: Summary of Revised Tariff Order and Interconnection Regulations: Broadcasters

Revenues

- Broadcasters to declare monthly MRP (excluding taxes), payable by a subscriber for each pay channel offered on a-la-carte basis; further, MRP should not be zero.
- The MRP shall be uniform for all distribution platforms.
- Apart from a-la-carte, broadcasters can also offer its pay channels in the form of bouquets and declare monthly MRP, of such bouquets payable by a subscriber.

Disclosures

- Broadcasters to state the nature of each of its channel as 'FTA' or 'pay'

Tariff Order and Broadcasters

Inter-connect agreements

- Broadcasters to offer distributors a minimum of 20% of the MRP of pay channel or bouquet of pay channels as the distribution fee. Broadcaster can offer discounts, on the MRP of only a-la-carte pay channel to distributors not exceeding 15% of the MRP. However, the sum of distribution fee declared by a broadcaster and discounts offered should not exceed 35% of the maximum retail price of pay channel.
- Broadcasters are not permitted to give any discounts on bouquets to DPOs
- No broadcaster can enter into exclusive contracts with any distributor of television channels such that it prevents any other distributor from obtaining the broadcaster's television channels.

Channel pricing and offerings

- Broadcasters are free to price channels (no cap), provided it is offered only on a-la-carte basis.
- Bouquet of pay channels offered by a broadcaster should not have any FTA channel and shall not contain any pay channel for which monthly MRP is more than Rs. 12 (revised from Rs. 19).
 - The MRP of such bouquet of pay channels shall not be less than 33% of the sum of MRP of the a-la-carte pay channels forming part of that bouquet.
 - Also, MRP per month of any a-la-carte pay channel, forming part of a bouquet, cannot exceed three times the average MRP per month of a pay channel of that bouquet
 - MRP, per month, of a pay channel shall, in no case, exceed the MRP, per month, of the bouquet containing that pay channel
- Bouquets should not contain HD and SD versions of the same channel.
- Number of bouquets of pay channels offered by a broadcaster at any given point of time should not be more than the number of pay channels offered by that broadcaster on a-la-carte basis. Any exception to this, is required to be approved by TRAI on a case to case basis.
- Promotional scheme on MRP allowed only on a-la-carte channels for a period of 90 days, maximum twice in a calendar year.



Exhibit 3: Summary of Tariff Order and Interconnection Regulations: DPOs

Revenues

- NCF, per month, per set-top box, for upto 200 SD (pPay or FTA) channels is capped at Rs. 130 (excluding taxes). A HD channel is equivalent to two SD channels. Mandatory DD channels to be offered free of cost over and above these 200 channels. Effectively, a subscriber will get 226 channels for Rs. 130 (excluding taxes).
- Ceiling of Rs. 160 (excluding taxes) on NCF, if total channels opted by a subscriber exceeds 200.
- DPOs permitted to declare different NCF for different regions / areas, such as state, district, town within its service area.
- NCF for every additional TV in multi-TV home capped at 40% of the declared NCF for the first TV
- Carriage fee capped @ 20 paisa and @ 40 paisa / subscriber / channel / month for SD and HD channels, respectively.
- Once the penetration of a channel, in its relevant market, reaches between 5 and 10%, the carriage fee has to be reduced by 25% from the initial amount; for 10-15% penetration, it has to be reduced by 50%; and for 15-20% penetration, it has to be reduced by 75%. Broadcasters do not have to pay any carriage fee for those channels whose penetration is more than 20% in their relevant market.

Disclosures

- All distributors of television channels shall declare NCF, per month payable by a subscriber
- "Must carry" provision for all addressable systems, on first come first serve basis. DPOs to publish information about its platform including available capacity and declare the rate of carriage fees

Tariff Order and DPO

Inter-connect agreements

- DPOs to receive a minimum of 20% of the MRP of pay channel or bouquet of pay channels as the distribution fee from broadcasters. Furthermore, DPO can receive discounts upto 15%, on the MRP of a-la-carte pay channel. However, the sum of the distribution fee and the discount offered by the broadcaster should not exceed 35% of the MRP of the pay channel or a bouquet of pay channels
- No discounts to be given on bouquets to DPOs by broadcasters
- The settlement of service charges between local cable operators (LCO) and multi-system operators (MSO) should be on a mutually agreed basis. In case they fail to reach an agreement, the network capacity fee amount and the distribution fee amount is to be shared in the ratio of 55:45 between the MSO and the LCO.

Channel pricing and offerings

- DPOs to offer all channels available on its network to all subscribers on a-la-carte basis and declare monthly DRP, for each pay channel. Such price should not exceed the monthly MRP, declared by the broadcasters for the same pay channel.
- DPOs can offer bouquets formed from pay channels of more than one broadcasters and declare monthly DRP, of such bouquets. However, such bouquet shall not contain any pay channel for which monthly MRP declared by the broadcaster is more than Rs. 12. Also, the DRP of such bouquet of pay channels shall not be less than 85% of the sum of DRP of a-la-carte pay channels or bouquet pricing of the broadcaster.
- Bouquets cannot include FTA channels and HD and SD version of the same channel
- DPOs allowed to provide discount on NCF and DRPs for long-term subscriptions (defined as plans with minimum tenor of six months), at their discretion.
- DPOs can offer promotional schemes on DRPs of channels. The duration of such scheme to not exceed 90 days at a time and more than twice in a calendar year.

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Business Contacts

Mr. L. Shivakumar E-mail: shivakumar@icraindia.com Tel: +91 22 6114 3406 / +91 98210 86490

Media and Public Relations

Ms. Naznin Prodhani E-mail: communications@icraindia.com Tel: +91 124 4545 860

Registered Office:

1105, Kailash Building, 11th Floor, 26, Kasturba Gandhi Marg, New Delhi - 110 001 Tel: + 91 11 2335 7940-45

Bengaluru 2

2nd Floor, Vayudooth Chamber, 15-16, Trinity Circle, M.G. Road, Bengaluru - 560 001 Tel: +91 80 4922 5500

Kolkata

A-10 & 11, 3rd Floor, FMC Fortuna 234/3A, A.J.C. Bose Road, Kolkata -700 020 Tel: +91 33 7150 1100/01

Email: info@icraindia.com Helpdesk: 9354738909 Website: www.icra.in/ www.icraresearch.in Mr. Jayanta Chatterjee E-mail: jayantac@icraindia.com Tel: +91 80 4332 6401/ +91 98450 22459

Corporate Office:

Building No.8, 2nd Floor, Tower A, DLF Cyber City Phase II, Gurgaon- 122 002 Tel: +91 124 4545300

Chennai

5th Floor, Karumuttu Centre, 634, Anna Salai, Nandanam Chennai - 600 035 Tel: +91 44 4596 4300

Mumbai

3rd Floor, Electric Mansion Appasaheb Marathe Marg, Prabhadevi, Mumbai - 400 025 Tel: +91 22 6169 3300

Ahmedabad

1809-1811, Shapath V, Opposite Karnavati Club S.G. Highway, Ahmedabad - 380015 Tel: +91 79 4027 1500/01

Hyderabad 1

No. 7-1-58, 301, 3rd Floor, 'CONCOURSE', Above SBI-HPS Branch, Ameerpet, Hyderabad - 500 016 Tel: +91 40 4920 0200

Pune

5A, 5th Floor, Symphony, S. No. 210 CTS 3202 Range Hills Road, Shivajinagar,Pune - 411 020 Tel: +91 20 2556 0194, 020 6606 9999

Bengaluru 1

'The Millenia', Tower- B, Unit No. 1004, 10th Floor,1 & 2 Murphy Road, Bengaluru - 560 008 Tel: +91 80 4332 6400

Hyderabad 2

4A, 4th Floor, SHOBHAN, 6-3-927, A&B Somajiguda, Raj Bhavan Road, Hyderabad – 500082 Tel: +91 40 40676500

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