

## Telecom regulator issues show cause notice to ESPN

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The notice requires ESPN to give a written explanation within three working days from the date of receipt of the notice.

The latest move in the tug of war between the TRAI and ESPN follows a TRAI directive dated June 24 to the sports broadcaster asking it to (a) modify its revised reference interconnect offer (RIO) dated May 15, 2008, and (b) submit to TRAI a report of compliance of its current directive within 15 days from the date of issue of the directive.

After seeking additional time, ESPN submitted its revised RIO to TRAI July 8 following which the regulator came to the conclusion that the revised RIO failed to meet the norms laid down earlier by the Telecom Disputes Settlement and Appellate Tribunal (TDSAT).

The TDSAT norms require all TV content providers to offer to DTH operators (a) the same bouquets that they offer to non-CAS cable distribution, (b) offer these channels to DTH operators at 50 percent of the rates at which such channels are being offered for non-CAS cable distribution, and (c) not to impose conditions with regard to offering its channels to DTH operators.

The dispute dates back to 2006 when ESPN first refused to offer DTH operators its bouquet of channels at 50 percent of the price that it was charging for non-CAS cable distribution.

Following two TDSAT judgements on the issue dated July 14, 2006 and March 31, 2007 wherein the norms as mentioned above were enunciated, ESPN came up with a revised RIO that it communicated to DTH operators May 15, 2008.

TRAI, however, found the revised RIO unsatisfactory and this prompted it to issue the June 24 directive asking ESPN to revise its RIO and make it compliant with TDSAT norms.

ESPN submitted its re-revised RIO July 8, 2008 and followed it up with a letter to TRAI July 10 claiming that it had now complied with the TDSAT norms. But the TRAI has found that even this re-revised RIO fails to comply with the norms. The present show cause action has been prompted by this failure, the TRAI statement said.

- Indo Asian News Service