



April 19, 2011

Ms. Eileen Ang  
Head (Competition & Market Access)  
Media Development Authority  
3 Fusionopolis Way, #16-22 Symbiosis  
Singapore 138633

via email

Attention: Ms. Ruth Wong  
Email: [ruth\\_wong@mda.gov.sg](mailto:ruth_wong@mda.gov.sg)

Dear Ms. Ang

**COMMENTS IN RELATION TO THE THIRD CONSULTATION PAPER ON THE IMPLEMENTATION OF THE CROSS-CARRIAGE MEASURE IN THE PAY-TV MARKET, ISSUED BY THE MEDIA DEVELOPMENT AUTHORITY OF SINGAPORE (“MDA”) ON 23 MARCH 2011 (“THIRD CONSULTATION PAPER”)**

Thank you for giving us the opportunity to respond to the Third Consultation Paper.

Despite the good intentions of the mandatory cross-carriage measure (the “Measure”), we continue to have concerns over its provisions, and its impact (intended or otherwise) on the pay-TV industry. We have discussed these concerns with the MPA and CASBAA, and they will be making separate submissions to MDA. Key issues include: (i) what constitutes Qualified Content (“QC”) and the circumstances under which such content can be “deemed” QC and hence subject to the Measure, (ii) the impact on existing packages which contain both QC and non-QC programming, (iii) further consideration of the “Open Access” approach as an alternative to the Measure, and (iv) minimum customer service standards and its impact on signal security.

We maintain that as program providers it is important that we be allowed to manage and license our rights in a manner that works for us as a business. The Measure runs contrary to Singapore’s desire to establish itself as a media hub, and is unnecessary as MDA already has the right under the Code of Practice for Market Conduct in the Provision of Media Services to intervene where it deems necessary to protect consumers, rather than impose a blanket Measure on cross carriage.

We are grateful for the opportunity to provide our comments, and look forward to continued engagement with the MDA.

Yours sincerely,

Lawrence Yuen  
Senior Vice President and General Counsel  
HBO Asia  
DID : (65) 6381-1770  
Email : [Lawrence.yuen@hboasia.com](mailto:Lawrence.yuen@hboasia.com)