新興視訊平台發展對有線電視產業衝擊之研究

提要

關鍵詞：有線電視、新興視訊平台、IPTV、OTT

一、研究緣起

新興視訊平台如 IPTV、Web TV、OTT TV 的崛起，造成民眾收視行為的改變，對傳統有線電視產業帶來極大影響，亦對各國政府現行廣電法與電信法規形成挑戰。本研究在探討新興視訊平台發展及對有線電視產業之衝擊層面，研析先進國家如何調整現行監理政策與法制，以作為我國之借鏡。

二、研究方法及執行

本研究分別採取文獻分析、深度訪談、焦點座談、次級資料分析等方法，研究期程為六個月，執行方式如下。

（一）**文獻分析**：掌握世界各先進國家包括英、美、日、韓、荷及中國大陸六國新興視訊平台相關發展現況與監理機關管理作為，進行比較分析。

（二）**次級資料分析**：從國外顧問公司、專業網站資料、期刊、資料庫或網路，蒐集各國新興視訊平台產業最新發展、產業策略、經營模

式、國家監理政策等特定資料進行分析。

（三）**深度訪談**：涵蓋 IPTV 業者、行動寬頻業者、OTT 業者、有線電視(MSO)業者、獨立系統業者、內容業者、監理機關及專家學者（本研究案顧問）等。

（四）**焦點團體座談**：共舉辦三場焦點團體座談，第一場北部有線電視業者座談會，第二場南部有線電視業者座談會，第三場為產官學研座談會，座談主題「新興視訊媒體對有線電視之衝擊暨相關法規之檢討」。

三、重要發現

（一）我國有線電視主要對手為中華電信 MOD，業者期盼政府公平管理

根據 NCC 統計，截至 2015 年第一季，我國有線電視全國總訂戶數 5,012,159，占有率 59.65%，數位化普及率 82.44%。我國有線電視主要競爭對手為 IPTV，即全國經營商中華電信 MOD，至 2015 年第一季用戶數達 1,286,077 戶。目前有線電視雖已開放可擴大經營區，但是遇到節目重新授權困境，加上現行有廣法水平垂直結合上限、黨政軍條款、分組付費等問題，發展受到侷限。我國有線電視業者數位化後所提供加值應用與綑綁服務仍趨保守，類比數位雙載情形致使頻寬利基未能出現。另方面，我國 OTT 與 4G 行動通訊剛起步，與有

線電視的競合關係尚待觀察與突破。面對匯流競爭市場，本研究蒐集我國有線業者意見，均企盼政府建立公平競爭的法制環境，對於不合時宜的法令予以鬆綁。

（二）世界各國有線業者已突破傳統電視服務限制，積極發展全業務

先進國家如美國、英國、荷蘭、日本、韓國等國之有線電視，也受到新興視訊平台不同程度之影響。各國主要有線業者多在數位化過程中，同步提供三合一、四合一綑綁服務，涵蓋廣電、電信和家用網路全業務，以一張帳單穩固訂戶。並提出行動策略(mobile strategy)，如 TV everywhere、Cable Wi-Fi、APP 應用等，因應固網限制。部分業者也突破傳統電視服務，例如美國 Comcast 與 Time Warner Cable 均推出智慧家庭防護系統；荷蘭 Ziggo 則為中小企業用戶打造專用 UCC 雲端體系，可做為我國有線業者創新營運模式之參考。

（三）美、英、日、荷、中國大陸等有線業者已展開整併，擴大經濟規模

為擴大經濟規模，整合地方固網，提升有線電視在三網融合市場的競爭力。英國 Virgin Media、荷蘭 Ziggo 與日本 KDDI 分別完成前兩大有線業者之整併，均獲各國主管機關同意。此外，美國第四大有線電視營運商 Charter Communications 於 2015 年 5 月 26 日宣布，以

現金和股票交易總價約 787 億美元收購美國第二大有線電視營運商 Time Warner Cable，正待審查；而中國大陸則由政府推動國網公司成立，打造全國有線電視整合平臺。

（四）IPTV 與有線電視服務屬替代性競爭，各國管制逐漸齊一化

IPTV 與有線電視同屬付費電視，成為消費者重要替代性選擇。面對 IPTV 的崛起，主管機關主要作為在建立公平競爭的法制環境。美國將 IPTV 直接等同有線電視，由地方政府發照；歐盟體系的英國、荷蘭以及日本，也將 IPTV 與有線電視齊一化管理，在製播分離制度下，營運商不需特許執照，僅採報備制。至於韓國與中國大陸都制定特別法來核發 IPTV 特許執照，兩國的有線電視規管雖比 IPTV 略為嚴格，但已漸趨一致性。相較我國 IPTV 與有線電視之不對等管理仍多，應修法逐步拉齊。

（五）面對 OTT 風潮，我國有線業者可自營 OTT 或與互補性 OTT 合作

世界各國的 Web TV 與 OTT TV 快速發展，但多數國家有線業者未必將 OTT 視為對手，尤其內容豐富的付費視頻點播(SVOD)，可能成為有線業者的互補性方案。例如英國 Virgin Media 與 Netflix 合作；日本主要有線電視 J:COM 與母公司電信業者 KDDI，本身都有自營

OTT；韓國 CJ HelloVision 自行推出 tving 及 Mnet 網路影音服務；中國大陸歌華有線電視成立的歌華雲平臺，目標也朝向 DVB 與 OTT 整合；美國有線電視業者受 OTT 衝擊較大，Comcast 已自行發展 X1 雲端平台，推出 XFINITY Streampix 串流視訊服務。無論是自營或合作互補，都可提供我國有線業者面對 OTT 風潮之因應。

（六）各國漸採 OTT 適度管理，我政府應及早構思如何因應 OTT 對既有媒體帶來的衝擊

擁有網路無國界特性的 OTT 服務，除中國大陸採取嚴格的牌照制度外，部分國家已著手規劃相關管理機制。例如歐盟體系的荷蘭、英國對於境內 OTT 採取低度管理的登記制；美國 FCC 已提案將付費線性多媒體串流影音業者納入 MVPDs 標準管制；韓國則完成修法，OTT 採登記制，並遵守著作權保護相關規定。我國 OTT 服務正開始發展，政府主管機關應及早研議如何處理 OTT 對既有媒體帶來的衝擊。

（七）我國有線業者可構思 FMC 戰略，拓展服務形成加值效果

固網與行動網路匯流(FMC)已成全球電信業發展重要趨勢。面對各國已經開展的 3G/4G 通訊，以及其衍生的行動多媒體服務(Mobile TV)，各國有線業者另一發展策略則是開展 FMC 服務。例如 Virgin

Media 是英國國內第一家提供 3G 行動通訊服務的公司，也是全球第一個虛擬行動網路(MVNO)運營商；荷蘭 Ziggo 則買下 LTE-2600 頻譜，為其 WiFi 與 3G/4G 的串聯作準備；日本主要有線業者的控股公司 KDDI 是日本第二大電信營運商，已取得 4G 頻譜，亦朝向 FMC 服務發展；中國大陸擁有 3G 手機電視、互聯網電視全國集成運營牌照的歌華有線，則與中國移動簽署 4G 網絡合作共建框架協議，共同拓展業務。顯見無論本身擁有電信頻譜，或是透過與 4G 業者合作，都有機會對有線業者拓展服務形成加值效果。

四、主要建議事項

（一）短期可行建議

評估我國有線電視產業現況與修法進程，短期可行建議為：

1.我國有線電視網路勢朝 IP 化發展，為因應寬頻市場競爭，業者應持續加強寬頻建設與雙向網路建置，完成下一代網路基礎建設。

2.我國有線業者應在傳統電視服務之上，開展 TV Everywhere/ TV Anywhere 策略與多元營運模式，並積極開發全業務，創新營運模式。

3.主管機關應維持公平競爭環境，鼓勵新興視訊平台如 OTT TV 之發展，但針對違法 OTT 行為及內容，應以現行相關法律加強規管。

4.我國有線電視數位化後，面對頻道增加與分組付費實施，現行有廣法規定公視、原住民族、客家頻道應維持必載，之外則建議修正為商業無線電視主頻必載。

5.我國現行有廣法黨政軍規範未盡完全合理，應放寬政府持股規定，容許於一定範圍內間接投資，但政黨仍完全禁止。

（二）中長期性建議

評估我國有線電視產業現況與修法進程，中長期性建議為：

1.我國有線業者面對 OTT 風潮，可採取自營 OTT 方式，或與 OTT 業者策略性競合，形成雙模接收 Hybrid TV 方案，多元經營進軍 OTT 市場。

2.我國有線業者應提出行動戰略(mobile strategy)，透過既有固網資質，結合異質網路，參進三網融合市場，拓展營收。

3.我國地區性經營的有線業者可考慮彼此合作，共建固網傳輸平台、雲端應用平台、內容集成平台，以加大實力，與跨國性、全國性經營對手競爭。

4.無國界的 OTT 發展逐漸成熟，本案部分國家漸漸轉向對 OTT 施加

程度不等的規管，我國可及早研議將線性 OTT 適度納入管理之機制。

5.數位匯流特徵之一即通訊傳播市場的匯流。我國主管機關應以三網融合整體市場，重新思考媒介所有權規範與跨媒體集中議題。

6.面對現行匯流市場各類型服務的推出，我國主管機關應以消費者保護、鼓勵新興業者，以及公平管理等原則來制定費率審查機制。

7.我國唯一 IPTV 業者與有線電視產業屬替代性競爭，有廣法與電信法對於外資直接與間接持股上限應盡可能趨於一致。

8.由於有線電視亦可以網際網路協定經營 IPTV，主管機關應研議將必載規定適用於 IPTV，以促進市場公平競爭。

The Impact of Newly-Emerging Media on the Cable TV Industry

Summary

Keywords: Cable TV, Newly-Emerging Media Platform, IPTV, OTT

I. **Background**

The development of the newly-emerging media platforms such as IPTV, Web TV, and OTT TV have changed the way people watch TV. They have also had a great impact on traditional cable TV, while also bringing challenges to the current broadcasting laws and telecommunications laws in many countries. This study seeks to analyze the development of the newly-emerging media platforms and their impact on the cable TV industry. It also analyzes how the developed countries are revising their laws to accommodate the changes. Taiwan’s cable operators can learn from their experiences.

II. Research Method

The research methods employed include a literature review, in-depth interviews, focus groups, and secondary analysis.

1. Literature Review:
Collecting information, laws and documents of the newly-emerging platforms in the UK, US, Japan, S. Korea, the Netherlands, and China and comparing their development and regulations.

2. Secondary Analysis:
Studying the materials, documents, laws and regulations, journal articles from international consulting companies, professional websites, journals, and databanks to analyze the recent developments, industry strategies, business models, and communications policy regarding the

newly-emerging media of advanced countries.

3. **In-depth Interviews:**
Conducting in-depth interviews with IPTV providers, mobile broadband providers, OTT providers, cable MSOs, independent cable operators, content providers, NCC officials, experts and scholars.

4. **Focus Groups**:
This study organized three focus groups. The first one was held in Taipei. The second one was in the South. The third one was in Taipei. The first two focused on cable TV operators. The third focus group invited government officials, cable operators, OTT players, and channel operators, etc.

III. Important Findings

1. **Cable TV's major competition is CHT's MOD which is a kind of IPTV service. The cable TV industry hopes that the government will treat cable TV and IPTV operators fairly.**

According to the NCC's survey, by the end of March 2015, there were 5,012,159 cable TV subscribers which represents a penetration rate of 59.65%. Digital cable penetration is 82.44%. Cable TV's major competition is CHT's MOD which has 1,286,077 subscribers. Currently, although cable TV operators can expand their service areas, they are still facing problems such as horizontal and vertical limitations, the tiering system, the must carry rule, and the fact that the government cannot own cable TV shares. When cable TV goes digital, the benefits are not obvious. This study has collected the opinions of the cable operators and has urged the government to provide a fair competition environment for the cable TV industry and to deregulate the outdated regulations.

2. **Cable TV operators worldwide have expanded their business to actively provide full service.**

The cable TV operators have also been influenced by the newly-emerging media in advanced countries such as the US, the UK, the Netherlands, Japan, and South Korea. In the process of digitization, they tend to provide triple play or quadruple play bundled services which cover TV, broadband, and the Internet. They use one bill to hold the customers. Some also provide mobile strategies such as TV everywhere, Cable Wi-Fi, or APP applications. In the US, Comcast and Time Warner Cable both provide a smart home security system which goes beyond TV service. In the Netherlands, Ziggo provides a UCC cloud service for small and medium-sized enterprises. Their innovative business models can be studied by Taiwan's cable TV.

3. **The cable operators in the US, UK, Japan, the Netherlands and China have started to merge in order to expand their economic scale.**

In order to expand their economic scale and integrate local fixed networks and make cable TV more competitive in the convergence market, Virgin Media in the UK, Ziggo in the Netherlands, and KDDI in Japan have all merged with the second largest operators in their countries and the mergers have been approved by their respective regulators. When Taiwan decides to revise its Cable Radio and TV Law with regard to vertical and horizontal integration, it can learn from these experiences abroad.

4. **IPTV might have a replacement effect on cable TV. Most countries have moved to adopt equal regulation.**

IPTV and cable TV are both pay TV. When IPTV emerged, different countries had different policies or regulations. In the US, IPTV operators have to apply for licenses from the local or state government. They are treated as cable TV. The UK, the Netherlands and Japan also treat IPTV and cable TV equally in their regulations. Korea has a special law for IPTV, but it is trying to provide a fair competition environment. Currently, cable TV and IPTV are regulated differently. The regulator in Taiwan should consider treating cable TV and IPTV equally.

5. **Facing the trend of OTT, cable TV in Taiwan can manage OTT or cooperate with OTT which has a complementary effect.**

When Web TV and OTT TV started to develop, cable operators in some countries did not consider OTT as their competitors. For instance, in the UK, cable operator Virgin Media cooperates with the US's OTT Netflix. In Korea, cable MSO CJ HelloVision has launched its own OTT service. The impact of OTT on cable TV is more obvious in the US. Regardless of whether cable TV should cooperate with OTT players or launch its own OTT service, the international experiences can be learned by Taiwan's cable operators.

6. **Many countries have started to confront OTT TV. Taiwan's regulator should thus start to think of an appropriate measure as well.**

OTT service is usually international and has no boundaries. In most countries, the OTT services only need to be registered. However, China and Singapore require that the OTT operators apply for licenses. In the US, the FCC has proposed revising the regulation and has redefined the definition of MVPDs. It is considering including linear OTT video in the category of MVPDs. Since the OTT services have just emerged, Taiwan's regulator should consider how to cope with the OTT.

7. **The cable TV operators could adopt the FMC strategy to expand their service in order to have a value-added effect.**

Fixed-mobile convergence (FMC) is an important trend worldwide. Faced with the development of 3G/4G, many cable operators have started to provide FMC service. For instance, Virgin Media is the first 3G operator in the UK. The major cable MSO in Japan has been merged by KDDI and has started to provide FMC service. Ziggo in the Netherlands has bought LTE-2600 bandwidth and plans to provide WiFi and 3G/4G service. Therefore, cable operators in Taiwan could consider adopting the FMC strategy as well.

IV. Major Suggestions

Short-term suggestions

1. The cable TV industry is also developing toward IP. In order to adapt to broadband competition, it should continue deploying broadband and

complete the next generation network construction.

2. In addition to the traditional TV service, the cable TV industry should develop a TV Everywhere/ TV Anywhere business strategy and a diverse business model. It should develop a full service and innovative business model.

3. The regulator should encourage newly-emerging media platforms such as the OTT. However when facing the illegal content and behavior shown on the OTT platform, the government should enforce the current law to stop the illegal practice.

4. After cable TV becomes digital, when facing the increased number of channels and the tiering system, the current Cable Radio and TV Law should stipulate that cable TV must carry public TV channels, an aboriginal channel, and a Hakka channel. Cable operators only need carry the major channels of the commercial terrestrial TV.

5. The current Cable Radio and TV Law is too strict in that it restricts ownership of the media to the government and political parties. It should deregulate and let the government own some reasonable shares. However, political parties are still banned from owning the media.

Medium- and Long-term Suggestions

1. The cable operators, while faced with OTT competition can enter the OTT market by managing OTT business themselves or adopting a co-opetition model by cooperating and competing with other OTT players strategically.

2. The cable operators can increase their revenue by adopting a convergence model through integrating the networks of fixed networks, mobile networks and other networks.

3. The regional cable operators could consider cooperating with each other such as by co-building fixed network platforms, cloud application platforms and content aggregators, in order to have a

larger economic scale to compete with cross country or national competitors.

4. The OTT is growing. Many countries have started using different measures to govern OTT. Taiwan's regulator should start to think of an appropriate regulatory model now.

5. The convergence of telecommunications and media is one of the characteristics of digital convergence. Accommodating the convergence of telecommunications, media and Internet, the regulator should reconsider the issues of media ownership and cross media concentration.

6. Faced with converged media, Taiwan's regulator should protect consumers, encourage newly-emerging media, and set up a rate review system that is fair.

7. In Taiwan, IPTV may have a replacement effect on cable TV. The indirect ownership cap for foreigners should be the same for cable TV and telecommunications.

8. There is only one major IPTV operator in Taiwan. Cable operators can consider providing IPTV by using an Internet Protocol. The regulator can consider whether to apply a must carry rule to IPTV in order to ensure fair market competition.