



**Revised Comments**

To

**Advisor (NSL),**  
Telecom Regulatory Authority of India,  
MTNL Telephone Exchange Building,  
Jawahar Lal Nehru Marg, (Minto Road),  
New Delhi-110002.

No: 1-4/2012-Regln/ 7525

Dated: 01-11-2018

{Kind Atten: Shri S.T. Abbas, Advisor (NSL)}

**Sub:** BSNL revised Comments on TRAI Consultation Paper on Methodology for levy of Spectrum Charges for provision of Satellite based Services using Gateway installed in India under 'sui-generis' category.

Kindly refer to the TRAI Consultation Paper no.1/2018 dated 10-10-2018 on the subject mentioned above. In this context, though BSNL has submitted the comments vide this office letter dated 29-10-2018, the BSNL's revised comments are as follows.

**Q.1.** Do you agree that the formula based spectrum charges should be replaced with AGR based SUC in respect of provision of services by BSNL under its license for 'Provision and Operation of Satellite based services using Gateway installed in India' under 'sui-generis' category? If yes, what percentage of AGR should be the spectrum usage charges?

**BSNL Reply:** Yes, the formula based spectrum charges be replaced by AGR base charges, because the formula based charges are being taken on the basis of WPC order no. p-11014/34/2009-PP(III) dated 22-03-2012, no.P-11014/34/2019-PP(IV) dated 22-03-2012. Both these orders are applicable for NLD services i.e. point to point satellite links. Whereas BSNL has started the service in May 2017 only. This service is commercial service like VSAT service.

**The SUC may be kept as 0.5% of AGR. However, as the GSPS service caters to the emergency service being essentially used in unconnected and remote areas and there are only few customers, there should not be any SUC for GSPS service for initial period of 5 years.**

**Q.2.** In case your response to Q1 is negative, what should be the spectrum charges and how should it be calculated?

**BSNL Reply:** Not applicable in view of the above.

**Q.3.** In your opinion, while determining the AGR for the purpose of levy of license fee and SUC, whether the cost of handsets (which is separately identifiable) should be allowed as deduction from the Gross revenue of BSNL's Satellite based services under 'sui-generis' category?

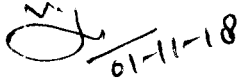
**BSNL Reply:** Yes, not only cost of handsets but also the Air-time (satellite Usage Charges) to be paid by BSNL to M/s Inmarsat should not be included in AGR, because these charges are of pass through nature. Other than these charges, the line charge for interconnecting the GSPS Gateway and MSC to Inmarsat Gateway & GMSC may also be excluded for AGR.

**Q.4.** If there are any other issues/suggestions relevant to the subject, stakeholders may submit the same with proper explanation and justification.

**BSNL Reply:** Yes, the following may be considered:

- a. There should not be any WPC License Fee for Satellite Phones (handsets) as BSNL is already paying License fee 8% of AGR.
- b. There should not be requirement of import License for import of handsets, accessories & spares for handsets and spare for Gateway by BSNL, being a licensee and TSP.
- c. Import of the spare parts and Isatphone2 accessories should be allowed freely without restriction & import license.
- d. SUC for Gateway should also not be levied separately, and it should be part of AGR only.
- e. As per the procedure adopted by DoT for Mini-M service Punjab, J&K, North-East States and also the coastal areas of Gujarat, Tamil Nadu and boarder districts of Rajasthan were considered as barred area. The restriction of barred areas defined previously (when gateway was not in India), should be done way with, as Gateway is available in India with LIM facility.
- f. The AGR based SUC charges may be made applicable retrospectively i.e. from date of start of the GSPS service by BSNL. SUC charges already levied by WPC on BSNL for GSPS to be refunded.
- g. In-roaming and out-roaming for GSPS may also be permitted being a global service.

This is for your kind information and necessary consideration please.

  
(Ved Prakash Verma)  
AGM (Regulation-II)  
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