BHARAT SANCHAR NIGAM LIMITED

Harish Chandra Mathur Lane, Janpath,
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[Regulation]

No. 1-10/2008-Regln.   Dated 16 –06-2008.

To

      The Secretary,
      Telecom Regulatory Authority of India,
      Mahanagar Doorsanchar Bhawan,
      Jawahar Lal Nehru Marg,(Old Minto Road)
      New Delhi-110002.

Subject: **Consultation paper on issues related to Internet Telephony.**

Sir,

      Kindly refer to consultation paper No.11/2008 issued on 05.05.2008 on the above referred subject. Para wise comments of BSNL are as given below:

S. No.	Questions	Comments
1	Whether Internet service provider should be permitted Internet Telephony services to PSTN/PLMN within India? If yes, what are the regulatory impediments? How such regulatory impediments can be addressed? Please give your suggestions with justifications. *(para 3.10)*	No, Internet service providers should not be permitted Internet Telephony services to PSTN/PLMN within India as per the present arrangement due to the following reasons: ➢ This will infringe upon the scope of access providers and adversely affect sustainability and viability of their business. ➢ This will adversely affect the business plans of NLD operators and will thus inhabit creation of long distance infrastructure.. ➢ This will disturb the entire interconnection regime which has been put in place after prolong deliberations. ➢ Quality of service and protection of consumer's interest will be major issues in implementing this . It may be noted that Internet telephony is another access technology to offer voce services. Therefore, it should be allowed to only those service providers who have the licenses to provide voice services under UASL/BSO/CMTS licenses. Further, uniform regulatory regime must be applicable to UASL/CMTS as well as ISP licensees to provide level playing field

		while offering similar type of services across all the licensees
2	Whether allowing ISPs to provide Internet Telephony to PSTN/ PLMN within country will raise issues of non-level playing field? If so, how can they be addressed within present regulatory regime? Please give your suggestions with justifications. *(para 3.11)*	Yes, allowing ISPs to provide Internet Telephony to PSTN/ PLMN within country will raise serious issues of non-level playing field. There are number of disparities between entry conditions, revenue share, roll out obligations, USO contributions, performance bank guaranty, financial bank guaranty etc. between UAS License/BSO License and ISP license. The issue of non-level playing field can be addressed by mandating the ISPs to migrate to UAS license with similar regulatory environment, terms and conditions, obligations etc. as applicable to existing UAS license holders.
3	ISPs would require interconnection with PSTN/PLMN network for Internet telephony calls to PSTN/PLMN. Kindly suggest Model/ architecture/ Point of Interconnection between ISPs and PSTN/PLMN? *(para 3.12)*	Without prejudice to our submissions above that ISPs should not be permitted to provide internet telephony services to PSTN/PLMN, in case it is decided to permit them, the ISPs must follow similar interconnection model as applicable to other access service providers for the purpose of interconnection with PSTN/PLMN networks for internet telephony calls i.e. they must create an equivalent network architecture to ensure level playing field. Arrangements will have to be made by the Category "A" ISPs to redefine their networks so that they can be clearly identified with equivalent circle level networks of other access service providers. Once this is achieved, the interconnection with PSTN can be established at the level of Level-II TAXs for terminating intra circle calls and at the level of Level-I TAXs for out going inter-circle calls. Also, their interconnection with the cellular networks should be at the level of Gateway MSCs in the respective circles. The interconnection charges (i.e. Set up cost, Port charges etc.), IUC charges including termination charges etc. should be at par with what is applicable to the BSOs/CMSPs/UASPs.
4	Please give your comments on any changes that would be required in the existing IUC regime to enable growth of Internet telephony? Give your suggestions with justification to provide affordable services to common masses? *(para 3.12)*	Almost all the access providers in India are providing national long distance calls at Re. 1 per minute. With more new licenses, the competition is bound to get stiffer and would result in further reduction in long distance tariffs. It can easily be foreseen that in very near future, the whole country will be accessible on local call charge basis. Thus, the so called cost differential advantage of internet telephony to provide

| | | affordable services to the common masses is no more relevant.

The most important issue is that the level playing field must be ensured. Therefore, no preferential treatment should be given to ISPs for the purpose of IUC in the disguise of promoting Internet Telephony. |
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| 5 | What should be the numbering scheme for the Internet telephony provider keeping in view the limited E.164 number availability and likely migration towards Next Generation Networks? Please give your suggestions with justifications. *(para 3.13)* | Due to serious number crunch, allocation of E.164 numbers to ISPs may not be viable at this point of time. TEC is reviewing the national numbering plan. It is suggested that in case it is decided to allow internet telephony to ISPs, the same may be referred to TEC for the purpose of number allocation.

Since the ISP network architecture will be either circle centric or country centric, numbering plan allocation has to take this point in to account. |
6	UASL and CMTS operators are allocated number resources and permitted to provide Internet telephony including use of IP devices/Adopters. Whether such devices should be allocated E.164 number resource to receive incoming calls also? If so, whether such number resources should be discretely identifiable across all operators and different than what is allocated to UASL and CMTS to provide fixed and mobile services? Give your suggestions with justifications? *(Para 3.4)*	No, neither ISPs should be allowed to receive the incoming calls from PSTN/PLMN network nor they should be allocated any number resource.
7	If ISPs are allowed to receive Internet telephony calls on IP devices/ Adopters, what numbering resources should they be allocated? *(para 3.13)*	ISPs are already allowed to terminate voice calls from PC to PC/ IP devices/ adopters with out allocation of any number resource. ISP would require allocation of numbering resource only in case they have to interconnect with PSTN/PLMN network for which, as submitted above, they must be mandated to migrate to UASL regime.
8	Is it desirable to mandate Emergency number dialing facilities to access emergency numbers using internet telephony if ISPs are permitted to provide Internet telephony to PSTN/PLMN within country? If so, Should option of implementing such	In case, ISPs are permitted to provide the internet telephony to PSTN/PLMN within the country, they must be mandated to provide Emergency number dialing facilities to access emergency numbers using internet telephony as applicable to other access service providers.

	emergency Number dialing scheme be left to ISPs providing Internet telephony? Please give your suggestions with justifications. *(para 3.14)*	
9	Is there any concern and limitation to facilitate lawful interception and monitoring while providing Internet telephony within country? What will you suggest for effective monitoring of IP packets while encouraging Internet telephony? Please give your suggestions with justifications. *(para 3.15)*	Monitoring of IP traffic is definitely a matter of concern since the routing of IP traffic is dynamic in nature. However, security of the nation is of utmost importance and can not be compromised. Hence, lawful interception must be ensured for internet telephony within the country and ISPs must be mandated to position the appropriate lawful interception facility as a part of its infrastructure to meet the security requirements. It is further suggested that it would be appropriate if the Authority kindly consults all the security agencies before finalizing it's recommendations in this regard.
10	Is there a need to regulate and mandate interoperability between IP networks and traditional TDM networks while permitting Internet telephony to PSTN/PLMN within country through ISPs? How standardization gap can be reduced to ensure seamless implementation of future services and applications? Please give your suggestions with justifications. *(para 3.16)*	Yes, there is definite need to regulate and mandate interoperability between IP networks and traditional TDM networks while permitting Internet telephony to PSTN/PLMN within country through ISPs. As there would be number of techno-commercial/techno-operational issues, it is suggested that an Expert group may be constituted taking representation from all the stake holders to ensure not only implementation of Internet telephony but also future services and applications.
11	Is there a need to mandate QoS to ISPs providing Internet telephony to PSTN/PLMN within country? Please give your suggestions with justifications. *(para 3.17)*	Yes, it is absolutely necessary to mandate similar QoS parameters as applicable to other access service providers not only to safe guard the interest of the end users but also protect the interest of existing operators and with a view to ensure the level playing field.

(Ashok Kumar Rawat)
Jt DDG (Regulation-II)