

**CONSUMER PROTECTION ASSOCIATION
HIMMATNAGAR
DIST. : SABARKANTHA
GUJARAT**



**Consultation Paper
on
Data Speed Under Wireless Broadband Plans**

Issues for Consultation

Q1: Is the information on wireless broadband speeds currently being made available to consumers is transparent enough for making informed choices?

Comments : No.

Consumer should made informed choice by ensuring transparency in data speed, as disclosures made by service providers on data speed, contract terms, latency etc. are not always understood by consumers.

1. Data services have become popular and form a substantial portion of consumer's expense. While conveying the tariff for data, the underlying conditions like usage in the night are either not revealed or are given in fine print.
2. Fair usage policy with regard to reduction of speed is also not disclosed to the consumers in clear terms and criticized by the consumer organizations and critics also.
3. While advertising data offers, telecom companies mentioned the latest technology coverage that consumer would experience. However, in reality the current networks are a combination of 2G/3G/4G technologies and consumers experience the benefit of latest technology in patches only.
4. As per TRAI direction dated 1st September, 2008, and 48th Amendment to TTO notified on 1st September 2008, Tariff information are not provided in vernacular language.
5. Minimum font size for printed matter on physical vouchers is not maintained.
6. Misleading Advertisement :

Use of term like “ Up to “ for data speed and non compliance of the same is common occurrence. It does not guarantee any performance. Non disclosure of provisions of services like data speed, contract terms, latency etc. are a matter of concern for consumers, which influence consumer satisfaction. Service providers should be mandated to specify minimum performance on not only down load speed but upload speed also for each plan.

7. Noncompliance with Transparency directions :

The service providers should provide information related to data usage limit, and speed of connection in all broadband tariff plans offered under fair usage policy on their website and also in all advertisements published through media, which are rarely met.

8. In Singapore, to ensure transparency on the services offered by ISPs they are required to report quarterly on some select parameter on QoS to IDA as well as it is mandatory for them to publish accurate and complete information for the services they claim to provide or advertise to enhance the overall customer satisfaction.

9. It was found that the QoS provided, differs considerably from the advertised values and is widely different in different locations.
10. The TRAI direction dated July 27, 2012 mandate service providers to provide all information including minimum data speed in respect of all broadband tariff plans offered under fair usage policy.

Q2: If it is difficult to commit a minimum download speed, then could average speed be specified by the service providers? What should be the parameters for calculating average speed?

Comment :

This question is not maintainable as :

1. When the world's average internet speed stands at 5 mbps, India ranks forth last, according to Akamai ranking. The rate at which broadband is being adopted in the country is slowing down considerably, mainly due to lack of value plans. It is not difficult to commit a minimum download speed.
2. TRAI issued recommendations on May 2011, stating that the minimum download speed needs to be raised to 512 Kbps

from 256 Kbps. It also added in the same recommendation that the benchmark for download speed will be at least 2 Mbps by January 2015.

3. TRAI originally raised the minimum broadband speed to 512 Kbps in July 2014, through a consumer redressal notification stating that the minimum download speed is raised to 512 Kbps from the original 256 Kbps since 2011.
4. India is in dire need of sufficient broadband speed if, we are serious about the efforts to implement Digital services like e-Governance, Smart cities and Mobile banking that define its Digital India Vision. It is hard to imagine how India will make successful Smart cities with poor Internet Speeds, since much of the success of a smart city will depend on accessing information instantly from voice, data and video and all of this without sufficient broad speed.
5. Why we should define broadband so narrowly, especially, given its sharpened focus on Digital India and the need to provide increased services to rural areas?
6. Unfortunately, most Telecom service providers almost halve the download speeds after users reach a pre- defined limit of data download. This, in term, reduces the average broadband

speed making transactions like mobile banking etc. very difficult to achieve.

7. With the entry of more content intensive services and other streaming on demand streaming sites, it is necessary to improve broadband speed.

Solution :

1. As per the direction by TRAI in December 2012, Stating that ISPs who do not meet the limit, should be penalized.
2. We need to focus on the new shift in networking technologies including high speed mobile network, wire line broadband to allow a value flow and to bring in more subscription under its base.
3. In Brazil, ANATEL has established QoS regulations which focus on minimum and median actual speed, service readiness and transparency of connection. Operators have to ensure minimum average connection speed; which will increase year by year from 60% of the maximum speed in the first year to 70 in next and 80 in the subsequent year.
4. In Singapore, in the case of non compliance to the QoS guide lines by operators, the regulator has provision to penalize up to \$ 50,000 for each instance per standard on subsequent instances.

Q3: What changes can be brought about to the existing framework on wireless broadband tariff plans to encourage better transparency and comparison between plans offered by different service providers?

Comment :

1. Information Remedies done by the UK regulator OfCom provides us with useful categories on which to evaluate information provision being made by the service providers:
 - (i) Awareness: are consumers aware of the information?
 - (ii) Accessible: is the information easy to access, find and use? Is it clearly identifiable?
 - (iii) Trustworthy: is the source of information trustworthy and totally impartial? Has the information been endorsed by multiple stakeholders?
 - (iv) Accurate: is it true to a sufficient level of resolution, up to date and can it be checked for correctness?
 - (v) Comparable: is it presented in such a way by various providers to allow for easy and sensible comparisons?
 - (vi) Clear and understandable: is the information expressed in units, concepts or terminology that is unambiguous, an easy to understand? Do consumers have the technical competence or cognitive ability to understand it?

- (vii) Timely: is the information readily available at the point of making decision?
2. We found that majority of consumers are unaware of the term bandwidth and its association with their mobile internet plan. Since bandwidth is more closely linked with the speed of internet, the service provider should mention the bandwidth in their advertisements. There is a great need to aware consumers by mentioning bandwidth on vouchers and other advertisements, like nutrition label on packed food.
 3. Most of the consumers are unaware about the Quality of Service for mobile internet. They are keen to learn about the benchmarks of the services they are provided.
 4. Data reported by service providers to TRAI showed that some parameter value differ substantially and more realistic tests should be mandated by TRAI to mimic the actual user experience with data service or depute third parties to report.

Q4: Is there a need to include/delete any of the QoS parameters and/or revise any of the benchmarks currently stipulated in the Regulations?

Comment :

Considering the scenario, there are QoS regulations and certain directions in place by the Authority to ensure QoS, only needed is keenness on implementation and more power to TRAI.

1. The speed performance should be based on first on consumer experience and then based on :
 - i) Internal testing by the service provider and reporting to TRAI.
 - ii) Testing commissioned from third party vendors.
2. Quarterly performance report by service providers will be useful for the consumers in choosing the service.

Q5: Should disclosure of average network performance over a period of time or at peak times including through broadband facts/labels be made mandatory?

Comment : Yes.

Information on product can empower consumer by making them more aware of the QoS to expect and use the information to make better purchase decisions while buying data plan.

Q6: Should standard application/ websites be identified for mandating comparable disclosures about network speeds?

Comment : Yes

Q7: What are the products/technologies that can be used to measure actual end-user experience on mobile

broadband networks? At what level should the measurements take place (e.g., on the device, network node)?

Comment : Consumer Satisfaction.

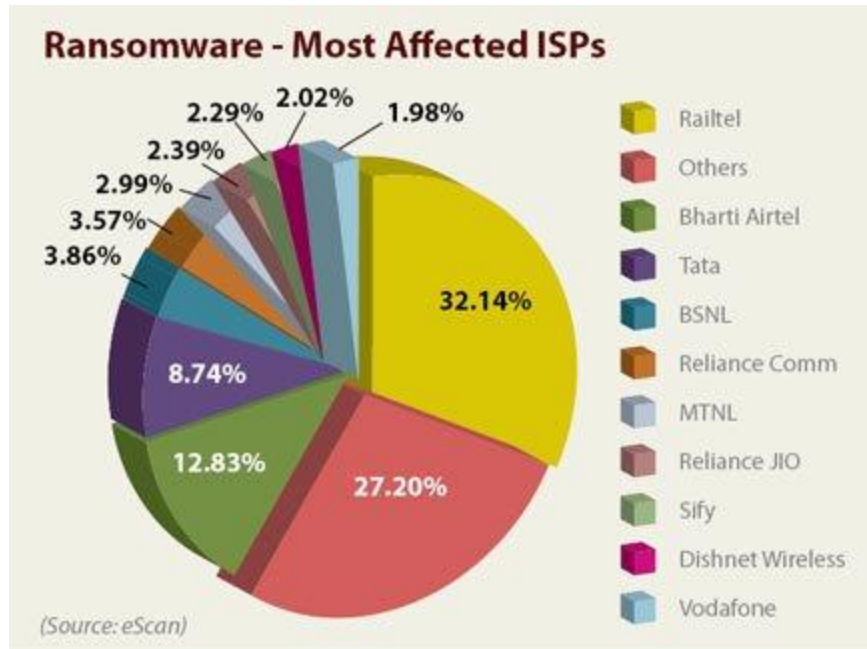
Q8: Are there any legal, security, privacy or data sensitivity issues with collecting device level data?

- a) If so, how can these issues be addressed?
- b) Do these issues create a challenge for the adoption of any measurement tools?

Comments : Yes.

Security measures for Broadband Internet Access Services :

According to the analysis carried out by Anti-Virus and Content Security service provider eScan, the free Wi-Fi service provided by Indian Railways in collaboration with Google was found to be the most affected Internet Service Provider during the recent Ransom ware attack. Wi-Fi service provider RailTel was observed to be the top most net work where Wannacry and other Ransom ware have been detected within India, with 32.14% of the entire share as per eScan.



While the Government is installing free Wi-Fi spots across India, there is a need to validate and tighten the internal security of networks.

Reliable network must be, among other things, a secure network. The consumer should be empowered by a network that is available when they need it. The service provider should protect their network against outside attacks, tampering, malicious activities and network events that may in way disrupt or degrade customers ability to use wireless data services. Every day, wireless network seeks to maintain the highest level of network reliability and performance.

Wireless network must guard against traffic pattern that appears to be associated with disruptive or malicious intent. Service provider must not block lawful traffic based on content or subject.

Wireless network should block limited number of Internet addresses that are disruptive or malicious and typically persistent. This should be based on their own analysis and third party intelligence. The service provider should regularly review and modify the list of blocked internet addresses, taking any off the list that are no longer perceived as a threat.

Q9: What measures can be taken to increase awareness among consumers about wireless broadband speeds, availability of various technological tools to monitor them and any potential concerns that may arise in the process?

Comments :

In our study we found one sided source of information for mobile internet plan features, we found :

- Source of information from service operator 49%
 - Customer care center 32% and
 - Through other users/friends 18%.
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- By organizing workshops and seminars.
 - Develops and implements a compelling and granular consumer awareness and adoption strategy.
 - Targets messages to specific audiences, using questionnaires and focus groups to identify gaps in awareness and major concerns.

- Identifies feasible modes of delivery, such as road shows, advertising and stalls at retail outlets.
- Learns from previous successful public awareness campaigns
- Measures the impact by conducting surveys in focus groups and tracking increases in data awareness.
- Develops support systems among academics, NGOs, other civic societies and the media etc. to help propagate the message.

Q10: Any other issue related to the matter of Consultation.

Comment : No.