

**The Advisor**  
**(Networks, Spectrum & Licensing)**  
**TRAI**  
**Government of India**

Dear Sir,

Thank you for taking the time to read this. I am writing to you after having read Airtel's response to your call for consultation papers on the Draft Direction on Delivering Broadband Services in a Transparent Manner.

At the outset, I would like to ask that you not disclose my name, email address or other personal details with regard to this email. However, the main content of this letter can be freely shared.

While I have no objections to most of the changes suggested by Airtel, I wish to raise several objections to the proposed revisions by Airtel in **Clause 4 (c)**, wherein Airtel makes the argument that

"In case of fair usage plans, the subscriber remains a broadband subscriber till the expiry of his assigned quota. Beyond the assigned quota, it cannot be the prerogative of the customer to keep on accessing data at the defined broadband speed. Hence, a service provider should be free to throttle the speed to 64kbps after the expiry of assigned data limit to the customer.

In fact, it has been observed that some customers misuse the minimum broadband speed provision and tend to overuse the data limit in their quota. Thus the cost increases for all customers due to higher usage at 512 kbps. As a result, we are forced to keep the price at a higher threshold for every customer. Therefore, if broadband has to become affordable in the country, ideally, the Authority should not mandate any broadband speed after exhaustion of quota. However, if the Authority wants to fix a speed limit is after the expiry of quota, it may be fixed at 64kbps."

This argument is both disingenuous and dangerous. It suggests that 512 kbps is a high enough speed to be classified as broadband, and that 64 kbps is a usable speed for the modern internet user.

While the rest of the world is scrambling to achieve higher broadband penetration and greater speeds at lower costs, Airtel wants to limit the availability of high speed internet in India to only those who can afford to pay — and keep paying, through their bandwidth extension plans known as Smartbytes.

Airtel, in fact, markets and advertises these plans as offering “unlimited” data. The idea that customers can misuse “unlimited” data — which, once again, is how it has been advertised and marketed to them — is a specious one. While the argument can be made that a customer who is purchasing an 8 Mbps connection can continue to keep using the internet at a reduced speed for an unlimited amount of data after exhausting his bandwidth cap, the reality is that 512 kbps is too slow for use on the modern web. It translates to roughly 64 Kilobytes of data a second, which means a 1 MB image will take roughly 16 seconds to download, compared to the 1 second it would take at the speed for which he had originally paid. At 64 kbps, the 1 MB image file would take over 2 minutes to open.

This speed is unrealistically low for the modern internet, and I suspect that it has been proposed mainly as a way to frustrate users into paying for Airtel’s premium bandwidth packages, or for higher bandwidth caps.

I therefore urge you to disregard Airtel’s suggestion and insist on a minimum speed of 512 kbps, if not higher, even after the FUP limit is crossed.

It would also be good if TRAI could revise the minimum broadband speed every two years, in order to keep up with advances in technology that require faster internet.

If TRAI wishes to continue allowing ISPs to specify a FUP for their plans, there should be rules specifying the FUP quota and the post-FUP speeds proportionate to the speeds promised in the plans.

Thank you once again.

Warm regards,