PMSL/TRAI/Comments/2021
December 27, 2021

To

The Advisor (Networks, Spectrum and Licensing),
Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan,
J.L.Nehru Marg, Old Minto Road,
New Delhi – 110002.

Kind Attention:- Shri Syed Tausif Abbas

Ref   : **TRAI Consultation paper No. 6/2021**

Dear Sir,

We are thankful to TRAI for providing an opportunity to the stakeholders by seeking their feedback / comments on the "Licensing Framework for Establishing Satellite Earth Station Gateway".

On behalf of Planetcast Media Services Ltd. ("PMSL"), please find attached herewith our comments to the questions under heading – "**Licensing Framework for Establishing Satellite Earth Station Gateway".**

Hope you will find the same in order.

Thanking you,
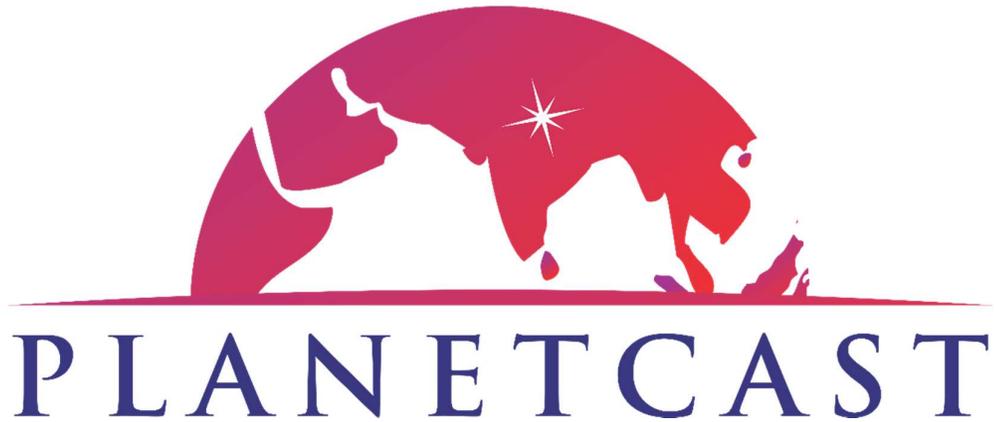
Yours faithfully,
For PLANETCAST MEDIA SERVICES LTD.

(KARUNESH CHADDHA)
ASST. VICE PRESIDENT (MARKETING & PR)

Cell : +91-9811153323
Email: karunesh@planetc.net

Encl.: As above

Point wise reply on Consultation Paper

On

"Licensing Framework for Establishing Satellite Earth Station Gateway"

S. No.	TRAI Questionnaire	Response/Comments
Q1.	Whether there is a need to have a specific license for establishing satellite Earth Station Gateway in India for the purpose of providing satellite-based resources to service licensees?	We understand existing Unified License is sufficient with lesser procedural delays in obtaining satellite Operating License. A separate authorization under UL may be issued for establishing Earth Station Gateway in India for the specific purposes / services, either LEO, MEO or GEO of providing satellite-based resources to service licensees

The existing license holders may be permitted to provide the said services under the same UL. There is a need to have a specific license for establishing any Satellite Earth Station Gateway in India for the purpose of providing satellite based infrastructure to service licensees by any agency other than service licensees or satellite operators.

Permitting service licensees and licensed satellite operators to set up Satellite Earth Station Gateway based on respective license already allotted to them may be sufficient and it will eliminate redundancy. Other agencies neither having satellite operator or service license need to have a specific license for establishing Satellite Earth Stations Gateway to ensure compliance to the regulatory requirements. |
| **Q2.** | If yes, what kind of license/permission should be envisaged for establishing Satellite Earth Station Gateway in India? Do provide details with respect to the scope of the license and technical, operational, and financial obligations, including license | The Existing conditions of UL should be applicable to Earth Station Gateway Licensee and specific service Gateway License should be issued. This will ensure Level playing field for all the operators such as financial, technical and other operational obligations. |

	fee, entry fee, bank guarantees, and NOCC charges, etc.	
Q3.	Whether such Earth Station license should be made available to the satellite operator or its subsidiary or any entity having a tie up with the satellite operator? Do justify your answer.	The Gateway licenses to be given specifically to non-Telco's and only on or behalf of Satellite or Satellite based Service operators. This will enable the utilization of these gateways for all the Telco's efficiently and without duplication of complex infrastructure. This will provide very effective regulatory framework for the complete services and also ensure ease of business.
Q4.	What mechanism/framework should be put in place to regulate the access to satellite transponder capacity and satellite based resources of a Satellite operator/Earth Station licensee by the service licensees so as to get the resources in a time-bound, transparent, fair and non-discriminatory manner?	A single online window should be made & Agreements between the parties should be market driven. PMSL is of the view that a system should be developed to ensure transparent, fair & non- discriminatory sharing of infrastructure created by the earth station Gateway licensee. Licensees may also be given a mandate to provide internet in Rural India, at each village level.
Q5.	Whether the Earth Station Licensee should be permitted to install baseband equipment also for providing satellite bandwidth to the service licensees as per need? Provide a detailed response.	Yes, the Earth Station Licensee should be permitted to install separate baseband equipment also for providing satellite bandwidth to the service licensees on need basis.
		If the Earth station licensee is permitted to install baseband equipment also for providing satellite bandwidth to the service licensees as per need the Service Licensee will have the flexibility to hire the bandwidth in Mbps as per the Customer requirement. It will also lead to more efficient use of the baseband and Satellite bandwidth as whole as the infrastructure is shared and the consequent cost

		effectiveness achieved will enable increase in customer base which is beneficial for all stakeholders.
Q6.	What amendments will be required to be made in the existing terms and conditions of the relevant service authorizations of Unified License, DTH License/Teleport permission to enable the service licensee to connect to the Satellite Earth Station Gateway established by Earth Station Licensee/Service Licensee, for obtaining and using the satellite transponder bandwidth and satellite-based resources? Do justify your answer.	No Change is envisaged.
Q7.	Whether the sharing of Earth Station among the licensees (between proposed Earth Station licensee and Service Licensee; and among service licensees) should be permitted? Do provide the details with justification.	Yes the sharing of Earth Station among the licensees (between proposed Earth Station licensee and Service Licensee: and among service licensees) should ideally be permitted. This will enable sharing of infrastructure as per the customer requirements of respective service licensee and the consequent improvement in efficiency of usage of the available bandwidth will accrue cost benefits for all stake holders especially customers and reduce time for deployment by service licensee, which will enable faster provision of services based on the respective demand. This will also promote investment in establishing of infrastructure due to higher returns from the better utilization of common / similar infrastructure. This will also avoid duplication of Infrastructure Capex and Opex. However, technical feasibility for such sharing may not be easy, except at a level of passive infrastructure.

Q8.	To whom should the frequency carriers be assigned: the Earth Station Licensee, or the Service Licensee, or whoever establishes the Satellite Earth Station? Do justify your answer.	The frequency carriers should preferably be assigned to Earth Station Licensee. This will enable the sharing of Satellite Earth Station by Multiple Service Licensee or Satellite operators leading to more effective utilization of resources and increasing the return on investment as the setting up of Satellite Earth Station is capital intensive.
Q9.	What should be the methodology for the assignment of spectrum for establishing satellite Earth Station? Provide a detailed justification.	The frequency carriers allotted to Satellite Operators should automatically be assigned to whoever establishes the Satellite Earth Station for particular frequencies of Satellite Operator for which the Earth Station is set up under current process of administrative allocation for satellite communications. Frequencies of Multiple Satellite Operators could be assigned to whoever establishes the respective Earth Stations for utilizing bandwidth from various Satellite Operators at the same site. Allocation based on the Satellite Frequencies to the respective or contracted Ground Segment.
Q10.	What should be the charging mechanism for the spectrum assigned to the satellite Earth Station licensee? Elaborate your answer with justification.	Charging mechanism needs to be based on Administrative cost only. With most of the processes to be made online the process needs to be automatic approval provided all parameters are met. Unlike the other Frequency spectrum usage where in the business is based on the way the spectrum usage is exploited, however in the case of Satellite the frequency is used as per the Satellite operator ITU allocation and is like any other infra ingredient like power fuel etc. The current method is very complex with unwarranted paperwork puts massive delays causing delays in the businesses thus losses to the Govt exchequers. A simple fee of Rs 10,000 per assignment and providing the parameters duly checked by the software

		with online payments and the license or allocation is simply printed and kept at the mandated places. Many countries do follow the same.

Q11.	Give your comments on any related matter that is not covered in this Consultation Paper.	1. <u>TIMELINES</u>
		
		i). Complete process of Regulatory Permissions should be made online to reduce cost and faster processing.
		
		ii). Even the approval process of application be made online with specified timeline, for timely disposal.
		
		iii). Current timelines are as follows:-
		
		    a) Permission from DOS/DOT/APEX for setting up of VSAT/IFMC or Similar network takes nearly 6-8 Month.
		
		    b). Permission from WPC & NOCC for operationalization of Network takes 4-6 Months.
		
		    Which needs to be rationalized / reduced.
		
		2. <u>DOS – ISRO ISSUES</u>
		
		i). List of approved / co- ordinated satellites to be made available by DOS / ISRO and any application on these satellites should have automatic approvals.
		
		Only the satellites not coordinated should be referred to DOS /ISRO for their comments / approval.

ii). Satellite BW should be pre – approved, when leased out to the users. i.e. when DOS allocates any satellite BW to the users, the said BW should be pre – approved by the various agencies such as MIB, NOCC, WPC etc. so that the user can use the BW immediately after the allocation.

This will ensure faster / efficient utilization (of bandwidth) and payment to ISRO for their bandwidth.

iii). Else DOS should charge the users/ applicants from the day of actual use of the BW after getting all the requisite approvals.

iv). There should be online filing of application for INSAT capacity reservation / allocation for these services i.e. Teleport / TV uplinking, SNG/DSNG & VSAT. This will not only facilitate ease and efficiency in application / processing but will also help environment protection by saving numerous pages of hardcopies.

v). There should be no security deposits from the users towards booking / allocation of the satellite capacity. However, for due compliance by users and protection of ISRO's interests, there may be provision for BANK GUARANTEES say monthly deposits, in line with the industry and international practices.

vi). DOS should make long term contracts with clear pricing policies to avoid retrospective increases which causes undue stress both on the broadcasters and the service providers, besides difficulties in tax and other compliances.

vii). There should be open sky policy for all the satellite requirements in India. However, for regulation and level playing field, DOS may explore providing for a

CEILING PRICE (in equivalent INR) for bandwidth on various foreign satellites available in India.

3. <u>WPC & SPECTRUM RELATED ISSUES</u>

i).Being a critical and sometime emergent requirement, WPC Wing should preferably be opened throughout the year and should have online approval process. In many countries, this approval takes 15 minutes to maximum 7 days.

ii). WPC wing processing time needs to be rationalized / reduced in line with the International standards / practices.

iii). Else, WPC approval for endorsement / de-endorsements should be made simpler and online.

iv). Further, to reduce cost and ensure faster approval, various approvals e.g. LOI, frequency assignment / AIP, Import license, Final OL, including NOCC approvals be made online with a stipulated timeline.

v). The use of bandwidth for SD / HD, 4K, UHD etc. should be deregulated and the onus be left to the technology and the teleport operator / broadcaster. They should be allowed to take their own call According to their Business plans.