

RJIL/TRAI/2023-24/256

13th December 2023

To,

Shri Akhilesh Kumar Trivedi,
Advisor (Networks, Spectrum and Licensing),

Telecom Regulatory Authority of India

Mahanagar Doorsanchar Bhawan

Jawaharlal Nehru Marg, New Delhi - 110002

Subject: RJIL's counter comments on TRAI's Consultation Paper dated 27.09.2023 on "Open and De-licensed use of Unused or Limited Used Spectrum Bands for Demand Generation for Limited Period in Tera Hertz Range".

Dear Sir,

Please find enclosed the counter comments of Reliance Jio Infocomm Limited (RJIL) on the consultation paper dated 27.09.2023 on **"Open and De-licensed use of Unused or Limited Used Spectrum Bands for Demand Generation for Limited Period in Tera Hertz Range"**.

Thanking you,

Yours Sincerely,

For **Reliance Jio Infocomm Limited**

Kapoor Singh Guliani

Authorized Signatory

Enclosure: As above

**Reliance Jio Infocomm Limited's counter comments on TRAI's Consultation on
"Open and De-Licensed use of Unused or Limited Used spectrum for Demand Generation
for Limited Period in Tera Hertz Range" dated 27th September 2023.**

1. Reliance Jio Infocomm Limited (RJIL) thanks the Authority for giving us the opportunity to respond to stakeholders' comments on the Consultation Paper ('CP') on '**Open and De-Licensed use of Unused or Limited Used spectrum for Demand Generation for Limited Period in Tera Hertz Range**'.
2. We have had the opportunity to go through the responses submitted by the various stakeholders and a few stakeholders have proposed for unlicensed use of spectrum in 76-81 GHz range and in some parts of the Tera Hertz frequencies.
3. **At the outset, we reiterate our clear and unambiguous position that any spectrum assignment for commercial use should be through auction only, as this is the only legally tenable and technologically feasible mode of spectrum assignment.** We also reiterate that as there exists a provision for low-cost experimental use license for spectrum in new bands, same can be suitably extended to include the experimental use of spectrum in these new bands, and there is no point of permitting unlicensed use.
4. We also submit that assignment of spectrum in these bands **should be implemented only after technical evaluation of co-existence and non-interference with adjacent licensed bands, especially with point-to-point in the fixed service and point to multipoint applications in the fixed/mobile/space communication service in the 71-76 GHz and 81-86 GHz bands and automotive radar applications in the radiolocation service operating in the 76-81 GHz bands indicating the possibility of such interference.**
5. As noted in our submissions, all demands for license-exempt use of any spectrum band are really about getting the access to spectrum without going through licensing process and without paying the market price of the spectrum and should be rejected at the outset. All of these **proposals are without any technical justifications, or any demand studies conducted on the requirement of such license-exempt spectrum, nor is any analysis provided on potential loss to exchequer from such de-licensing on short term and long-term basis nor the long- term impact of license exempt use on the competition in the market and on already sunk investments in the sector is provided. We submit that all these are valid considerations before any proposal for license exempt use is considered seriously by the Authorities.**
6. We submit that licensed-exempt use/delicensing of spectrum only leads to indiscriminate and irresponsible wide scale use with massive interference impact in case the same bands are also made available for licensed services. **Further, it is an irreversible process as it is**

impossible to subsequently implement licensing on any license-exempt spectrum, as has been seen in 6 GHz in some jurisdictions.

7. We further submit that **a light touch regulatory framework with nominal charges takes care of all cost apprehensions of the parties interested in experimental use of a spectrum band to develop use cases and examine commercial business case of a spectrum band.** The interested parties can apply to DoT and obtain right to use spectrum on experimental basis and once a commercial use case is established, the spectrum can be acquired through auction.
8. Further, by licensing, the Government will be able to control the usage and devices using the spectrum efficiently, which will not be possible in case of license exempt allocation. There is no need to re-emphasize that the auction-based licensing framework is the most optimum solution for any spectrum use on commercial basis. While on one hand it ensures that the spectrum is most optimally used and on the other hand it ensures that optimum value of spectrum is also maintained.
9. In view of the above, we reiterate our submissions that we do not agree with the need for permitting license exempt operations in these bands. **Instead of license exempt usage, the first step should be to assign spectrum on experimental basis and once the commercial use cases are developed, the spectrum should be assigned through auction.** This will ensure suitable control and record keeping of the spectrum usage and the Government would also be able to devise policies to ensure end-customer benefits using these spectrum bands.