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New Delhi – 110002

**Subject: Consultation Paper on "Issues related to Closure of Access Service"**

Dear Sir,

This is in reference to your Consultation Paper dated 30<sup>th</sup> November 2016 on "**Issues related to Closure of Access Service**".

As desired, we hereby enclose our response to the questions raised in your above mentioned Consultation Paper. We hope our response will be given due consideration. We shall be obliged to address any further queries from your good office in this regard.

Thanking you and assuring you of our best attention always.

~~Yours sincerely,~~

  
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**And**  
**Authorized Signatory**  
**For Tata Teleservices (Maharashtra) Limited**

Encl: As above

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## TTL response to Consultation Paper on Issues related to Closure of Access Service

### Issues for Consultation

- Q.1** Is there a need for modification of the UASL and CMTS licenses in line with Clause 30.3(b) of UL, for those licensees who have liberalized their administratively allocated spectrum?

#### TTL Response

As per the clause 30.3(b) of UL, Licensee may discontinue any of the service, under a Service Authorization, to its subscribers, by giving notice to Licensor and TRAI of atleast 60 Calendar days in advance with reasons. In that case it shall also notify all its subscriber by sending a 30 Calendar days notice to each of them. The effective date of discontinuity of Service will be 61st Calendar days counted from the date of receipt of such notice by the Licensor. The Licensor reserves the right to reject such request

TTL is of the view that there is no need for modification of UASL and CMTS license for those licensees, who have liberalized their administratively allocated spectrum. The spectrum is liberalized after paying the specified fees/charges by the TSP. Hence the telecom service provider should have a choice for deploying technology of their choice during the currency of spectrum held.

- Q.2** Should discontinuation of services being provided through a particular technology, say CDMA, be treated same as discontinuation of any of the service under a Service Authorization as per Clause 30.3(b) of UL? Please provide details along with justification.

#### TTL Response

Discontinuation of services being provided through a particular technology should not be considered same as discontinuation of any of the services under a Service Authorization. As mentioned in reply to Q1, the TSPs who have liberalized their administratively allocated spectrum should have a choice to deploy technology of their choice during the currency of spectrum held. Mobile Number Portability has been implemented in the country and the MNP process is being followed very effectively by all Telecom Service Providers. The main concern that may arise out of



discontinuation of services of a particular technology is the availability of an option to retain/ use his existing Mobile Number, which is effectively addressed through the well established MNP process. The customers have a choice of upgrading to the services offered by the TSP, upgrading the technology OR he also has an option of migrating to the services provided by other TSPs in the service licensed area.

**Q.3 What other conditions in these licenses be modified so as to keep pace with the developments? Please justify your answer.**

**TTL Response**

On the basis of TTL's opinion provided in Q1 and Q2, we don't see any requirement of making any changes in the UMTS & UASL licenses.

**Q.4 Regarding spectrum trading process, the Stakeholders are requested to comment upon the following:**

(a) Is there a need to define a time-limit for DoT to take into its records the prior intimation given by TSPs regarding the spectrum trading? Please suggest time-lines for different activities within the Spectrum Trading Process.

(b) Should the advance notice period to subscribers' be enhanced from 30 days period to say, 60 days, in case of closure of services so that a subscriber has sufficient time to consume his talk time balance? Please provide justification to your response.

(c) If a TSP is selling its entire spectrum in the LSA and intends to discontinue its access services being provided to its subscribers, should the TSP give the 60 days' advance notice to Licensor, TRAI and its subscribers, only after the spectrum trading is acknowledged by DoT/WPC as suggested in Para 23?

(d) Give any other suggestion to improve the existing Spectrum Trading Process.

**TTL Response**

a) Present requirement of Joint intimation by the TSPs involved in spectrum trading to DoT is 45 days. This time requirement is sufficient and is working fine. However TTL suggests that DoT should raise any clarification OR demand of dues within 30 days of intimation by the trading TSPs for a smoother execution. Also, an addition of 15 days grace period after lapse of 45 days from the date of joint



intimation to DoT shall be added. In case, where a final decision is not conveyed by DoT with 60 days (45 days + 15 days grace), the spectrum trading proposal shall be deemed as approved.

b) As per clause 30.3(b) in UL, TSPs discontinuing their services in a licensed area should notify all its subscribers by sending a 30 Calendar days notice to each of them. TTL is of the view that an advance notice of 30 day period, about the closure of services is sufficient time for a customer to consume his balance talk-time. Multiple OR a single recharge by prepaid customers, for talk-time is a normal customer behavior across all telecom operators.

c) Yes! As per clause 10.3(b) of UL, LICENSEE may surrender the LICENSE, by giving notice of at least 60 Calendar days in advance to DoT. TSP selling entire spectrum in the LSA and intends to discontinue its access services, should intimate atleast 60 days in advance to the Licensor in line with the above mentioned UL clause.

d) 1. DoT not to seek any payment or security by way of Bank Guarantee against demands which are stayed due to legal process.

2. Current lock-in for selling of spectrum acquired through trading is 2 years. The lock-in period for selling this spectrum should be revised to 1 year.

3. Transfer fee of 1% of transaction amount towards spectrum trading should be dropped and revised to a minimum fixed amount.

4. Transaction amount received by the spectrum selling TSP should not form a part of AGR

**Q.5 What mechanism should be put in place to ensure that subscribers are informed about the closure of services/change of access technology transparently and effectively by the TSPs? Should TSPs be directed to follow a specified mode of communication(s) as detailed in para 30 for informing subscribers or what could be other mode of communications?**

#### **TTL Response**

TTL is of the view that TRAI should not mandate TSPs to choose any particular mode of communication to its subscribers. Also in line with the Government's vision of Digital India, TRAI should encourage the digital means of communication. As we firmly believe that it is in the best interest of the TSP to retain their customers on their own network, with a different technology, the TSPs should be free to choose Any One OR Multiple mode of communication as mentioned below:



- a) Digital Communication
- b) SMS
- c) E-Mailers
- d) Communication through Account Manager in case of Enterprise customers
- e) Print Media

**Q.6 Will it be appropriate that the responsibility of verification of time-period elapsed since the last porting (i.e. 90 days period) be shifted from MNPSP to the Donor Operator so that subscribers' port-out requests are accepted irrespective of his age on network in case of closure of services?**

**TTL Response**

Yes! It will be appropriate to shift the responsibility of verification of time-period elapsed since the last porting to the Donor operator. This will ease out porting of the customer to other operators, in case of closure of services by the MNPSP operator.

**Q.7 In case a TSP changes the access services technology and asks his subscribers to migrate to newer technology, should the tariff protection, carry-over of unused talk-time balance and benefits be extended to such subscribers upon migration to new technology for the contracted period?**

**TTL Response**

In case of access service technology change and subscriber migrating to the newer technology with the same TSP, TTL recommends to ensure tariff protection and also carrying over customer's unused talk-time balance.

**Q.8 How much time period should be given to the subscribers to port-out after closure of commercial services i.e. for how long the system should remain active to facilitate porting? Should the validity of the UPC in such cases coincide with such time period?**

**TTL Response**

Systems should remain active atleast for a period of 30 days to facilitate porting, after closure of commercial services. The UPC code of the customers should remain valid till this time, irrespective of date of UPC generation date.



**Q.9** What other changes should be made in the MNP Regulation to ensure smooth bulk porting-out of the subscribers in the event of closure of access services or change of access technology by any TSP?

**TTL Response**

TTL propose additional liberalized processes as mentioned below:

1. After giving 30 days advance notice to customers on access services closure, the telecom operator should be able to generate bulk UPC codes for all the customers.
2. No requirement of repeat e-KYC for customers porting to the new technology within the same TSP for bulk porting out subs.
3. TSP who is changing access services technology can approach the customers proactively for service technology change after generating UPC code.

We are of the view that the above will facilitate smooth MNP process for the customers.

**Q.10** Will it be appropriate that the change of technology within a licensee (TSP in a given LSA) be removed from the definition of MNP?

**TTL Response**

Since the Mobile number series allocated by DoT for each service technology is different, hence it would require an LRN dip to complete an originating and terminating call, TTL is of the view that any migration of customer to a different technology within the same TSP should not be removed from the definition of MNP and the existing process should continue. In case a TSP is offering both CDMA and GSM services and the Subs wants to migrate one technology to another then he or she should be allowed to port without the involvement of MCH.

**Q.11** Is there a need for an alternative mechanism to MNP for bulk transfer of subscribers from one TSP to other TSP(s)? If yes, please give suggestions.

**TTL Response**

No! The exiting MNP process for bulk transfer is well established; hence we do not recommend any alternative mechanism.



- Q.12 Should a TSP be allowed to transfer its subscribers, who have not been able to port-out to other TSPs before closure of service, to another TSP whenever the services being rendered by that TSP are going to be discontinued? What can be associated issues and challenges? Please provide details.**

**TTL Response**

TTL recommends allowing the bulk transfer of those subscribers who have not been able to port-out to other operators, before the closure of services. This will ensure that the customers, who have not been able to port out before the closure of services, will be able to avail telephony and data services with the new technology without service disruption. The customers can be proactively approached by the TSP switching the access service after generating UPC code for all the customers after decided number of days. In such circumstances, these customers should be allowed to port-out without the mandatory 90 days notice.

- Q.13 If there are any other issues relevant to the subject, stakeholders may submit the same, with proper explanation and justification.**

**TTL Response**

We don't have any relevant suggestions to the subject at this point in time.