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**U.S.-India
Business Council**

March 23, 2023

Shri Akhilesh Kumar Trivedi
Advisor (Networks, Spectrum and Licensing)
Telecom Regulatory Authority of India (TRAI)
New Delhi, 110002

**Re: Comments on TRAI's Consultation Paper on Telecommunication
Infrastructure Sharing, Spectrum Sharing, and Spectrum Leasing**

Dear Shri Akhilesh Kumar Trivedi,

Since our inception in 1975, the U.S.-India Business Council (USIBC) has tirelessly promoted an inclusive bilateral trade environment between India and the United States and consistently advocates for a strong, strategic bilateral relationship in support of entrepreneurship, job creation and economic growth. Among other things, we engage in stakeholder dialogues to ensure that India's economic growth flourishes based on light-touch regulation and international best practices. USIBC is an integral part of the U.S. Chamber of Commerce, the world's largest business advocacy organization, operating in over fifty countries to promote free enterprise and advance trade and investment. USIBC directly represents some two hundred companies of every size across sectors based in India, the U.S., and other like-minded nations.

USIBC members include broadcasters, telecom operators, equipment manufacturers, systems integrations, and companies reliant on secure, trusted, and efficient global communications networks. Our members also include e-commerce, sharing economy, and other digital enterprises, as well as the technology service providers and product producers that support and enable India's rapidly expanding digital economy and telecom manufacturing sectors. In short, USIBC promotes a broad set of digital policies that promote bilateral trade and commerce and the ease-of-doing-business, thereby creating a transparent and attractive investment environment, and the general ease of doing business.

USIBC has a long history of working with TRAI. For example, we hosted the TRAI Secretary at our India Ideas Summit in New Delhi last September. We have also engaged the current Chair, Members, and staff in support of telecommunications policy, regulations, and the development of the sector, including around fraud prevention, 5G spectrum auctions and implementation, satellite communications, and other critical and strategic technologies. In addition, as a U.S. co-chair of the U.S.-India Information and Communications Technology Working Group (ICTWG), we also develop strategies for long-term, multi-stakeholder bilateral cooperation in the digital space.



We write today to share our comments on TRAI's Consultation Paper on Telecommunication Infrastructure Sharing, Spectrum Sharing, and Spectrum Leasing.

Voluntary telecom infrastructure sharing can help support sustainability, cost efficiency, and network performance. India's shared tower sector is remarkably successful example, and USIBC encourages TRAI to look at whether it would be appropriate to examine other telecom segments to support the voluntary sharing of resources. Infrastructure sharing is typically driven by two distinct factors:

1. Economic interest, which encourages operators to voluntarily collaborate and/or to use alternative infrastructure due to the potential cost savings and accelerated time to market.
2. Regulatory requirements, where regulators seek to require shared use of public resources such as land and radio spectrum, and/or to require or compensate the operators of alternative infrastructure to help ensure they make provisions to share among telecommunications operators.

USIBC believes that economic interest of operators should drive infrastructure sharing rather than through government requirements. USIBC supports the voluntary sharing of passive infrastructure such as dark fiber, rights-of-way, duct space, and tower space on lease/rent-out/sale basis to the licensees of the telecom services on mutually agreed terms and conditions. For example, the deployment of shared tower infrastructure has contributed to the rapid growth of mobile networks. Over the years, telecom tower sharing in India has emerged as a trendsetter in the infrastructure sharing, and several Telecom Service Providers (TSPs) even spun off their passive infrastructure into separate entities. Thus, USIBC supports voluntary telecom infrastructure sharing to help address sustainability, cost considerations, and network performance.

In addition to providing our views on sharing in the telecom sector, there are additional items we would be grateful to address within the current consultation. They are described below.

Promote A Simple Licensing Regime

It is critical that license/registration conditions permit the voluntary sharing of licensed/registration company's own core and non-core active network elements as technology permits for providing services authorized to it under any other telecom license/registration. This will avoid unnecessary infrastructure duplication and cost for operators, creating savings that can be invested to optimize and provide additional services. We suggest this infrastructure be generic in nature and applicable for all licenses/registrations. Furthermore, license terms can ensure that required security monitoring occurs across all the services that utilize the infrastructure.



Permit Sharing for Active Core Elements for Licensed Service Providers

We suggest that TRAI set license/registration conditions to allow the voluntary sharing of core and non-core active network elements as technology permits across TSPs and internet service providers (ISPs). This will optimize investment and access to capabilities for innovative and productive user segments, and hence increase the value of investment into the network. Higher rates of return will in turn attract a great quantity of capital investment to the benefit of the sector, and larger economy.

Uniform Regulations

While we understand different segments and types of licenses and registration may require different treatment, to the extent that there are commonalities or overlaps, we request that TRAI consider uniform language and requirements where applicable. For example, it would be immensely helpful if, where there is sharing of infrastructure, all licenses/registrations be as uniform as possible to ensure regulatory predictability and certainty.

Thank you for your kind consideration of these recommendations. If we can provide additional information or should you have any questions, my colleague Aditya K. Kaushik, akaushik@usibc.com, USIBC's Director of Digital Economy in India, would be happy to assist. USIBC is committed to enhancing commerce and investment between India and the United States and appreciates your attention in this matter.

Warm Regards,

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