May 20, 2019

Dear TRAI Team,

Greetings from Wells Fargo India.

At the outset we thank you for inviting responses from the OSP stakeholders on various aspects of their telecom connectivity and infrastructure services and the DoT regulations that are currently in effect.

Wells Fargo India as an OSP has enclosed responses to the consultation paper published by TRAI

2.8   The Year 2008 guidelines also provisioned the concept of Extended Agent Position (Work from Home), in which the OSP was required to submit a Bank Guarantee of Rs. 5 crore with an agreement envisaging to meet certain obligations like exclusive use of home agent, all responsibility to be borne by OSP, etc.

The term Extended Agent position still implies work from home related to contact/call center agents. Given the growth in technology outsourcing to India this is no longer true when considering work from home. More often it is related to technology roles doing coding and development or general business relates functions such as attending global meetings with team members from other time zones. Work from home should be considered in such terms and not just in terms of Extended Agent Position.

Q1. Please provide your views on the definition of the Application Service in context of OSP. Whether, the Application Services which are purely based on data/ internet should be covered under Application Service for the purpose of defining OSP.

The OSP licence and terms seem to be focussed towards centers providing call center services. For OSP's where the primary activities are IT outsourcing or Business Process offshoring outside of call center functions the requirements detailed in the OSP terms are restrictive and not always relevant.

Q2. Whether registration of OSP should be continued or any other regulatory framework should be adopted for OSPs so that the purpose of registration specified by government is met. Please furnish your views with justification.

The OSP registration and requirements therein are based upon aged/historical technology standards. Along with that as mentioned in the response to Q1 having a single registration covering both telephony based service centers and non-telephony is cumbersome and restrictive. A better approach would be to split registration based on core services being run out of the center. One specifically for call center operations and another for non-call center where the use and implementation of infrastructure can be more location agnostic.

Additionally in this new age of cloud based technologies where the location of infrastructure is no longer a relevant parameter the government should refrain from specifying where the infrastructure can or cannot be based and focus on what are the data sets they are interested in having in country and specifying those requirements. As in terms of GDPR the focus is on the data integrity and security and not necessarily the infrastructure providing the service. Storage has a key part to play in

terms of data governance and compliance but that should not dictate where the infrastructure providing the service must be placed.

Q3. What should be the period of validity of OSP registration? Further, what should be validity period for the renewal of OSP registration?

No opinion

Q4. Do you agree that the documents listed above are adequate to meet the information requirements for OSP registration? If not, please state the documents which should be added or removed along with justification for the same.

The concept of Bank Guarantees seems to be an archaic concept. This requirement of submitting multiple bank guarantees as a security for due observance and performance of terms and conditions should be removed. Instead details the fines and penalties that could be imposed for non-compliance.

Once again the provision of a network diagram is focused on details how the voice traffic flows and how the PABX is setup again showing that the registration is biased towards call centers.

Q5: Do you agree with the fee of Rs. 1000/- for registration of each OSP center. If not, please suggest suitable fee with justification.

As an administrative fee it is fine.

Q6: Do you agree with the existing procedure of OSP registration for single/ multiple OSP centres? If not, please suggest suitable changes with justification.

Registration should be for a single legal entity regardless of location/s. Having different LSA's with local jurisdiction causes issues when there is inconsistency between offices. Each Jurisdiction should not have differing views and interpretations of the same requirements. There should be a single set of regulations that all LSA's enforce consistently. This provides clarity for the companies when implementing technologies as they can be consistent across their centers.

Q7: Do you agree with the existing provisions of determination of dormant OSPs and cancellation of their registration? If not, please suggest suitable changes with justification.

If annual returns are a requirement and they are not provided as dictated then yes registration should be cancelled.

Q8. Do you agree with the terms and conditions related to network diagram and network resources in the OSP guidelines? If not, please suggest suitable changes with justification.

No comment

Q9. Do you agree with the provisions of internet connectivity to OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

As it relates to emerging trends in technology the requirements for using an ISP in India and IP address traceability to an India address causes challenges. With cloud based Desktop as a service and with global virtual desktops adhering to such requirements causes extensive network latency

and impedes performance. This requirement should be removed. Instead if the requirement is for traceability of Internet activity then a similar regulation as it pertains to CDR data should be specified for internet logs for India based users.

Q10. Do you agree with the provisions related to Hot Sites for disaster management mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

The term 'Hot Sites' implies these are always active. An OSP should be permitted to use a Hot Site during normal business activity to validate the integrity of the data and infrastructure. Then we can be assured that there will be no impact during a real disaster. Intimation to the DOT should not be required at the time of invocation. The 'Hot Site' should be established as per the DOT regulations at the outset and verified as meeting all requirements after which time use of the hot site should be at the liberty of the OSP.

Q11. Do you agree with the provisions of logical separation of PSTN and PLMN network resources with that of leased line/ VPN resources for domestic OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

Again this is call center centric and needs to be separated out for non-call center OSP's

Q12. Do you agree with the provisions of PSTN connectivity/ interconnection of International OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

No Comment

Q13. Please provide your views as to how the compliance of terms and conditions may be ensured including security compliance in case the OSP centre and other resources (data centre, PABX, telecom resources) of OSP are at different locations.

As stated the original terms were related to placement of the EPABX. This again assumes call center services. Outsourcing and offshoring to India has matured in leaps and bounds. As mentioned in previous responses focus on placement of infrastructure is an antiquated view. Instead the focus should be on the data governance and compliance. The DOT should specify not implementation of infrastructure but instead the data they would require free and ready access to and it is upto the OSP to ensure that data is available.

Q14. Please provide your views whether extended OSP of existing registered OSP may be allowed without any additional telecom resource. If yes, then what should be the geographical limitation for the extended OSP centre; same building/ same campus/ same city?

It should be allowed with no geographic limitation. Use of WAN's and MAN's should enable a site to be extended and operate in terms of a hub and spoke implementation where remote sites use services from a central Hub OSP.

Q16. Do you agree with the provisions of general conditions for sharing of infrastructure between International OSP and Domestic OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

The terms specify "OSP should set up a call centre having at least 50 seats." Again this is focussed on call centres. This reiterates the need for there to be separate guidelines and registration for call centre verses non call centre.

Q17. Do you agree with the provisions of Technical Conditions under option -1 & 2 for sharing of infrastructure between International OSP and Domestic OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

Not relevant for non-call centre

Q18. In case of distributed network of OSP, please comment about the geographical limit i.e. city, LSA, country, if any, should be imposed. In case, no geographical limit is imposed, the provisions required to be ensure compliance of security conditions and avoid infringement to scope of authorized TSPs.

Not relevant for non-call centre

Q19. Do you agree with the provisions including of logical partitioning mentioned in the OSP guidelines for distributed architecture of EPABX? If not, please suggest suitable changes with justification.

Not relevant for non-call centre

Q20. Do you agree with the monitoring provisions of mentioned in the OSP guidelines for distributed architecture of EPABX? If not, please suggest suitable changes with justification.

Not relevant for non-call centre

Q21. Please comment on the scope of services under CCSP/HCCSP, checks required / conditions imposed on the CCSP/ HCCSP including regulating under any license/ registration so that the full potential of the technology available could be exploited for both domestic and international OSP, and there is no infringement of the scope of services of authorized TSPs.

Not relevant for non-call centre

All remaining questions are focussed on Call Centre OSP's and implementation of related EPABX technologies.

There must be a separation of registration based on service being provided. Call Centre Vs Non Call Centre