

April 15, 2023

To  
Shri Sanjeev Sharma  
Advisor (Broadband)  
Telecom Regulatory Authority of India  
Mahanagar Doorsanchar Bhawan  
Jawaharlal Nehru Marg, New Delhi 110002

**Subject: Counter Comments on Consultation Paper on 'Introduction of Digital Connectivity Infrastructure Provider (DCIP) Authorization under Unified License(UL)'**

Dear Mr Sanjeev,

I am a PDOA and in partnership have about 45 PDOs. We are grateful to TRAI for having established the PM-WANI project. The project is helping us to extend connectivity to hinterland of the country. The project has ushered in effective use of WiFi technology for the masses in the country.

On going through the comments submitted by various stakeholders on the said Consultation paper, I feel there is a need to clarify certain aspects.

**Yours Sincerely**



**S Kumar**

## **Counter Comments to TRAI Consultation Paper on Introduction of Digital Connectivity Infrastructure Provider (DCIP) Authorization under Unified License(UL)**

1. On perusal of the comments hosted on TRAI website it is noted that some facts have been misrepresented which need to be taken into account while finalizing the recommendations.
2. Notably 2 of the associations have made a comparison of Infrastructure Providers with PDOAs like us for the purpose of being kept out of licensing regime. It is worthwhile to mention that the scope of work of PDO/PDOA is limited as we can only provide service to general public through Wi-Fi Access Network Interface (WANI) compliant Wi-Fi hotspots. In the case of Infrastructure Providers, they are already kept out of Licensing regime for sharing of passive infrastructure. However, if active infrastructure sharing is permitted for them it will be a direct infringement on the jurisdiction of Licensed Service providers and hence go against the principle of same service same conditions.
3. It is also to be noted that we the PDO/PDOAs are mainly start-ups and small-time players doing our bit to extend connectivity to remote locations, whereas infrastructure deployment is a capital-intensive affair and IP-1s are larger companies to the extent that some are Listed Companies and arms of MNCs. For such big companies to avoid getting into licensing regime when TRAI has proposed a light touch regulation for DCIP with a nominal entry fee of Rs 2 lakh and application processing fee of Rs 15,000 /- by citing example of PDOAs is an unequal comparison. More than 1000 IP-1s are registered with DoT. In fact TRAI may consider imposing license fee also as for active infrastructure heavy investment is required and the charges can easily be borne by the IP-1s who plan to become DCIPs. Hence any comparison between PDOA and IP-1 is not a fair proposition.
4. Further, one of the Association has stated in their submission that *"To summarize, in light of above discussions regarding the potential creation of a new category for IPs-1 and placing them under a licensing regime, it is imperative to clarify that such a proposal is unfounded and goes against the consistent support and emphasis placed on enhancing the scope of IPs-1. This support has been evidenced by regulatory bodies including TRAI and in NDCP-2018 which is a gazette notified document, and also highlighted in the Economic Survey"*.
5. **I referred to the Economic Survey and found that no mention regarding telecom infrastructure providers has been made.**
6. Additionally, it has also been stated in the submission by the Association that *"Therefore, any proposal to create a new category for IPs-1 and place them under*

*a licensing regime should be strictly denied, as it would be detrimental to the progress and growth of digital infrastructure deployment, and contradict the consistent support and emphasis placed on enhancing the scope of IPs-1 by regulatory bodies".*

7. While TRAI in the past i.e. prior to seeking legal opinion by DoT, may have advocated enhancement of scope of IP-1s, the term used repeatedly is regulatory bodies. It is not clear which other regulatory body has supported and emphasized enhancing the scope of IP-1s.