

F.No. 302-22/2012-QoS

Dated: 16th May 2013

To

1. All Access Service Providers.
2. All empanelled auditors of metering and billing system.
3. Cellular Operators Association of India (COAI), 14, Bhai Veer Singh Marg, New Delhi – 110 001.
4. Association of Unified Service Providers of India (AUSPI), B-601, Gauri Sadan, 5 Haili Road, New Delhi- 110 001.

Sub: Clarifications regarding implementation of the Quality of Service (Code of Practice for Metering and Billing Accuracy) (Amendment) Regulations, 2013 (4 of 2013) dated 25th March, 2013

Sir,

TRAI had notified "Quality of Service (Code of Practice for Metering and Billing Accuracy) (Amendment) Regulations, 2013 (4 of 2013) dated 25th March, 2013". These regulations have come into force from their publication in the official Gazette, i.e. 25th March 2013. Some of the empanelled auditors and COAI has sought certain clarifications regarding implementation of the above regulations. In this regard, clarifications of the Authority on the various issues are given below:

(i) **Year of applicability of the regulations:** Since the Quality of Service (Code of Practice for Metering and Billing Accuracy) (Amendment) Regulations, 2013 have come into effect with effect from 25th March, 2013, any action that is to be taken subsequent to the coming into force of these regulations will have to be undertaken as per the provisions of these regulations. Accordingly, the audit report for the year 2012-13 is to be submitted to TRAI by 31st July, 2013 and Action Taken Report is to be submitted by 15th November, 2013. Any delay in submitting the audit report and action taken report as per sub-regulation (5) and sub-regulation (6) of regulation 6A or failure to provide comments on audit observations in the action taken report will attract financial disincentives as per regulation 6C or regulation 6E, as the case may be. In case the CDR audit for tariff plans has already started, the same may be continued. However, instances of overcharging observed during such audit shall be proceeded as per the

provisions of regulation 6A and any failure to refund overcharged amounts shall attract financial disincentives as per regulation 6D.

(ii) **Panel of Auditors:** The validity period of existing panel of auditors has already been extended by TRAI for the audit for FY 2013-14 vide letter no. F.No.302-1/2010-QoS dated 15.4.2013. The service providers have already been advised to appoint the auditors from the existing panel of auditors for the audit for FY 2013-14 by 30th April, 2013.

(iii) **Tariff Plan matrix for CDR audit:** In clause (g) of sub-regulation (1) of regulation 6A it is provided that call data records of two new post paid data plans having maximum number of customers at the beginning of the Quarter shall be audited. It is clarified that the call data records of two post paid data plans having maximum number of customers at the beginning of the Quarter shall be audited. Necessary amendment to the regulations in this regard will be issued later.

(iv) **Checklist of Audit:** TRAI shall be issuing the guidelines for audit and revised checklist for audit separately.

(v) **Provision of copy of Customer Acquisition Form (CAF) to customer at the time of enrollment** - The customer shall be provided a copy of the Customer Acquisition Form (CAF) at the time of enrollment as per clause 1.2 of the Code of Practice for Metering and Billing Accuracy even though the subscriber verification guidelines issued by the Department of Telecommunication mandates that counterfoil of the CAF is to be given to the customer, since the terms and conditions of service are generally given as part of the CAF.

(vi) **Provision of information relating to tariff, terms and conditions of service etc. to customers:** In the case of both pre-paid and post-paid customers, the information under sub-clause (i) to (iv) of clause 1.2 of the Code of Practice for Metering and Billing Accuracy shall be provided in writing within one week of activation of service. Provision of such information at the time of taking connection and/or provision of such information in the Start Up Kit (SUK) will meet the requirement of this code.

(Shaji Abraham)
Joint Advisor (QoS)