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21 September 2015

Smt. Vinod Kotwal
Advisor (F&EA)
Telecom Regulatory Authority of India
Mahanagar Doosanchar Bhawan
Jawahar Lal Nehru Marg
New Delhi 110002

**Subject: Consultation Paper on Compensation to the Consumers in the Event of
Dropped Calls**

Dear Madam,

This is with reference to the above referred TRAI consultation paper issued on 4th Sep'15.

In this regard, please find enclosed herewith our response to the consultation paper as an Annexure.

We hope that the TRAI will find our response useful and consider our inputs while formulating the regulation on the subject.

Thanking you,

Yours sincerely,

For Telenor (India) Communications Pvt. Limited
(erstwhile Telewings Communications Services Pvt. Limited)

A handwritten signature in black ink, appearing to read "P. Sharma", written over a horizontal line.

(Pankaj Sharma)

**Sr. Vice President and
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Telenor (India) response to TRAI Consultation Paper on Compensation to the Consumers in the Event of Dropped Calls

Preamble

At the outset, we appreciate the concerns raised by TRAI in this consultation paper on the issue of call drops. The issue of call drop is persisting for the past 5-6 months mainly in metro telecom service areas of Delhi and Mumbai impacting the quality of service experienced by the customers. Telenor (India) always strives to meet TRAI specified QoS benchmarks across all its service areas and accordingly in the areas where we are operating, the call drops are comparatively lower in our networks. We are undertaking some customer centric initiatives over the past two years namely "*Call Katega, Muft Call Milega*" wherein we credit one minute of talk-time (Local On-Net minute) for every dropped call initiated by our network. This is a voluntary initiative as the 'quality of service' is driven by market forces and an important parameter for mobile operators to sustain in this highly competitive market.

In today's context, data services are becoming more relevant for the customers with the proliferation of smart phones, popularity of social media, availability of digital content and applications. To meet the increasing data usage requirements of the customers, mobile operators are augmenting their spectrum portfolio by acquiring liberalised spectrum and upgrading the networks ensuring quality of service at affordable rates to customers. These actions depicts that mobile operators are serious about this concern of customers and are investing in their networks on continuous basis for ensuring better customer experience.

While mobile operators have to do their bit by investments in networks etc. but that alone will not resolve the problem. The government should support the expansion of network through enabling policy framework viz. National policy on Right of Way which is uniformly implemented across all states / municipalities. Some of the policy related reasons contributing to call drops are enumerated below:

- Spectrum related reasons:
 - Limited availability of spectrum per operator
 - Partial and geographically fragmented spectrum sold through Auctions
 - Interference in Auction acquired spectrum remains unresolved for years
 - Allocation of backhaul spectrum
- Permission to install towers on Govt. land in urban areas
- Poor electricity supply in rural areas coupled with diesel pilferage
- Illegal use of repeaters by un-licensed entities (reason also identified by TRAI)

In addition to the above, from the past 12-18 months, issues are faced by mobile operators in not only securing desired locations for new tower installations but also in running of existing sites. Some of these issues are highlighted as follows which shows the inability of mobile operators to put up towers to combat with network congestion and call drop issues:

- Sealing of towers by Municipalities in urban areas
- Unfounded concerns of health hazard due to EMF radiation raised by site owners / neighbours / RWAs
- Land unavailability in Cantonment areas, PSU establishments, vast tracts of institutional areas for putting up towers thereby creating voids in network coverage



Currently, in our six operational service areas, there are 43 BTSs which have been made non-operational due to various disruptions (EMF, sealed by municipality, forced to close by owner etc.). Therefore, there is a possibility of congestion / call drop where an operator either doesn't have network coverage or localised network congestion due to inadequate towers. An important point to note here is that the closure of 1 BTS degrades the performance of 3 to 4 neighbouring BTSs. Thus, closure on one site has a cascading effect on neighbouring sites giving rise to localised congestion and increase in call drops.

The above explained reasons are not directly attributable to the TSPs alone, these fall in the overall ambit of Telecom policy where we see the Government as an enabler to resolve some of these long pending issues. Moreover, the options for intervention at mobile operators' end are limited and majority of the reasons degrading the network performance are beyond their control. In this regard, we welcome the steps taken by Government to initiate the process of providing permission for installation of towers on Government buildings/land and public sector undertakings. However, this process of granting permission requires to be expedited across all telecom service areas and should be extended to defence land and other critical locations also. The ongoing spectrum harmonisation in 1800 band also needs to be expedited as it will help in addressing the spectrum scarcity to some extent and consequently the problem of call drop to a large extent.

In view of the above facts, we recommend that the Authority should not mandate any compensation method on mobile operators as there is enough competition in the market place and the operators are competing with each other to provide better QoS to their customers. The thrust of the Authority should be to enable a national policy where long term infrastructure developments is at the core and let the operators compete with each other in this intensely competitive market where quality of service is paramount.

With the above explanation, following are our key submissions:

- **Mobile operators are continuously investing in network up-gradation as well as monitoring performance of their networks in line with TRAI QOS performance benchmarks. This reflects the commitment of mobile operators towards their customers to provide good quality of service.**
- **There are multiple reasons responsible for call drops, mostly beyond the control of the mobile operators and require government policy support.**
- **Mobile operators should not be mandated to implement proposed compensation options, rather, it should be left to the operator to decide the means & ways of compensation in lieu of dropped call basis market dynamics.**
- **The compensation structure should not be construed as a scheme/ offer. It should be viewed as a tool for customer delight.**
- **TRAI's support is required in the areas of educating the population at large to dispel the perceived ill effects of EMF radiations.**



Question wise response to the issues under consideration

Question no.1: Do you agree that calling consumers should not be charged for a call that got dropped within five seconds? In addition, if the call gets dropped any time after five seconds, the last pulse of the call (minute/second) which got dropped, should not be charged. Please support your viewpoint with reasons along with the methodologies for implementation.

Telenor (India) Response:

In discussion with our technical partners, we conclude that the proposed solution cannot be implemented in isolation only for dropped call events. It is technically not feasible and our system doesn't support the same. Still in case it is mandated by Authority then it has to be implemented for all types of calls in totality irrespective of whether the call gets disconnected because of call drop or any other reason like called party or caller himself disconnects the call. This may prove to be a huge foregone revenue and hence unviable.

The suggested compensation solution even becomes more complex when customer is not to be charged for the last pulse of the call which got dropped as most of the customers are pre-paid and the per second or per minute charging is on-line and to reverse the charge for the last pulse in an on-line system is presently not supported by our system. This may require major changes and effort estimation before we can comment on this option.

Question no. 2: Do you agree that calling consumer should also be compensated for call drops by the access service providers? If yes, which of the following methods would be appropriate for compensating the consumers upon call drop:

- (i) Credit of talk-time in minutes/ seconds
- (ii) Credit of talk-time in monetary terms
- (iii) Any other method you may like to suggest Please support your viewpoint with reasons along with the methodologies for implementation.

Telenor (India) Response:

We do not agree with any kind of mandate on compensation to customers as the choice of plan and operators is purely in the hands of customers. The market forces are at play and operators are vying for market share by providing the best of services.

Currently, tariffs plans with both type of pulse (per second / per minute) are available for our customers in the market and over 50 percent customers are availing per second pulse tariff plans. Moreover, there are no artificial barriers for the customers to opt for per second based pulse or per minute pulse tariff plan. This choice is always available with the customer which s/he decides basis his / her usage requirements.

Telenor (India) believes in customer centricity and as a tool for customer delight, we are offering an automatic system driven initiative namely "*Call Katega, Muft Call Milega*". It is a tool for customer benefit wherein we credit one minute of talk-time (Local On-Net minute) for every dropped call initiated by our network. The incident handling process (call compensation in this case) is completely automated with the dropped calls recorded at the



Customer Relationship Management (CRM) system along with an instant acknowledgement to the customer.

- **In view of above, it is submitted that the flexibility should be left to the operator to offer such benefit to customers. TRAI should not mandate implementation of proposed compensation solutions**
- **The terms of such offerings should be left to the mobile operator basis market dynamics.**

Question no. 3: If the answer to the Q2 is in the affirmative, suggest conditions/limits, if any, which should be imposed upon the provision of crediting talk-time upon call drop and usage thereof.

Telenor (India) Response:

As mentioned in response to Question no 2, any compensation option for customers in lieu of dropped calls should not be made mandated in any manner and left to the discretion of mobile operators to decide the means and methodology for compensation.

Similarly, the mobile operators should have full flexibility to decide the construct and associated terms & conditions. The QoS regulation prescribes the financial disincentives on operators for not meeting the threshold levels, this is enough deterrent. The thresholds are defined in view of the various constraints in a commercial communication network and reasons which are solely beyond the control of operators.

- **As mentioned the initiative should be left to the discretion of the Service provider, hence any contours of the T&C should not be mandated by the Authority.**

The terms and conditions of our customer delight initiative are as below and we reserve the right to modify the offer at anytime:

- (i) Credit of 1 minute of for every dropped call due to our network problem
- (ii) Customer credited on talk time for 1 minute of local on-net call, as we are sub-National operator
- (iii) Validity of the benefit – one day
- (iv) SMS notification immediately after crediting the benefit
- (v) Eligibility– only customers who originate the call will be eligible for the benefit.
- (vi) Daily maximum limit of credit minutes can be put to prevent misuse.

Question no. 4: Is there any other relevant issue which should be considered in the present consultation on the issue of call drops?

Telenor (India) Response:

As explained in the preamble of our submission, there are multiple reasons which leads to degradation of network performance and these are not directly attributable to the mobile operators. Some of these reasons fall in the Policy domain and TRAI on behalf of the mobile



operators should take up with the government in allaying fears against ill-effects of EMF radiations to general public so that existing towers continue to be operational as well as permission for installation of new towers are granted. This will surely be instrumental in minimising the call drops.
