

1178 / TRAI/ ISPAI /23-3
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Subject: ISPAI Response to TRAI Consultation Paper on 'Data Communication Services between Aircraft and Ground Stations Provided by Organizations Other Than Airports Authority of India'

Dear Sir,

We congratulate the Authority to have come out with this Consultation paper on the matter captioned above and sincere thanks for providing us the opportunity to submit our response on this important issue.

We have enclosed our comprehensive response for your consideration.

We believe that the Authority would consider our response in positive perspective and incorporate our submissions on the subject matter.

Looking forward for your favourable consideration.

Thanking you,

With Best Regards,
For Internet Service Providers Association of India



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Encl: As above

ISPAI Response to TRAI CP on Data Communication Services between Aircraft and Ground Stations Provided by Organizations Other Than Airports Authority of India

A unified licensing framework is needed for such data communication services as a separate authorization under the UL. This is also consistent with approach taken in case of Captive Non-Public Networks (CNPN) licensing.

Spectrum assignment continue on administrative basis. Internationally too this spectrum is learnt to be allocated administratively. Recover the associated cost of administering the spectrum, license.

The spectrum should not be used for providing services of any sort to customers onboard the flight or any access services to customers by using VHF spectrum.

Q1. Whether there is a need to bring data communication services between aircraft and ground stations provided by organizations other than Airport Authority of India under service licensing regime? Kindly provide a detailed response with justification.

ISPAI Response:

Yes data communication services between aircraft and ground stations provided by organization other than AAI should be under Unified License. This is a critical communication being used for commercial services, hence should be licensed with suitable technical, security and operational conditions.

The service should be restricted to communication inside cockpit and crew.

**Q2. In case your answer to Q1 is in the affirmative, should the providers of data communication services between aircraft and ground stations be licensed through –
(a) an authorization under Unified License; or
(b) a separate service license.
Kindly provide a detailed response with justification.**

ISPAI Response: A separate service authorization under UL.

**Q3. What should be the broad terms and conditions of the licensing framework for data communication services between aircraft and ground stations, such as
(a) licensed service area,
(b) validity period of the license
(c) scope of the license,
(d) technical conditions,
(e) operating conditions,
(f) security conditions, and
(g) financial conditions (such as application processing fee, entry fee, license fee, bank guarantees, etc.)?**

ISPAI Response:

National Licensed service area, Validity - 20 years.

Scope—to establish, install and/or use radio transmitting and/or receiving stations and/or radio apparatus/Radio equipment onboard Aircraft. Usage of frequencies assigned in the band 117.975 to 137 MHz should be restricted within the cockpit of the Aircraft and restricted to only Flight Crew Members. In no-case spectrum should be used to provide services of any sort to customers onboard the flight.

Technical, operating, security and financial conditions be in line with the international practices.

Q4. What should be the methodology for assignment of the spectrum in frequency range 117.975-137 MHz to the providers of data communication services between aircraft and ground stations? Should the spectrum be assigned administratively, or through auction, or through any other method? Kindly provide a detailed response with justification.

Q5. In case administrative assignment is to be followed, what should be the mechanism for charging the VHF spectrum in the frequency range 117.975-137 MHz to be assigned to the providers of data communication services between aircraft and ground? Whether the auction determined prices for other frequency bands can be accounted for estimating the value of VHF spectrum in the frequency range 117.975-137 MHz? Kindly provide a detailed response with justification.

ISPAI Response:

Administrative assignment.

NFAP has allocated band 117.975-137 MHz for Aeronautical Mobile (R) service on shared basis. Since multiple flights cross paths over sky (of specific countries) as well as same flights travel to different foreign countries it is critical to have harmony in frequency bands with international countries to facilitate flight operators with same frequency bands in different countries over different make and models of airplanes. For example, frequency 121.5 MHz is meant only for Aeronautical emergency situation across the globe for all Aircrafts.

Hence, spectrum in 117.975-137 MHz to the providers of data communication services between aircraft and ground stations should continue to be on administrative basis.

The administrative cost recovery should be ensured - in a fair, objective and transparent manner.

Q6. If auction methodology is to be followed, whether the valuation of VHF spectrum in frequency range 117.975-137 MHz assigned to the providers of data communication services between aircraft and ground stations should be derived by relating it to the valuation of other frequency bands by using technical efficiency factor? If yes, with which frequency band, should these frequencies be related to and what efficiency factor or formula should be used for estimating the value of VHF spectrum in frequency range 117.975-137 MHz? Kindly justify your suggestions.

Q7. What are the prevalent international practices being followed in other countries for assignment and charging (including other applicable charges and fees) of spectrum in the frequency range 117.975-137 MHz, which is used for providing data communication services between aircraft and ground stations? Please provide a detailed response.

Q8. Whether the valuation of VHF spectrum assigned to the providers of data communication services between aircraft and ground stations be derived using the methodologies used internationally in this regard? If yes, which of the methodologies can be followed? Please provide a detailed response.

Q9. Apart from the approaches highlighted above, which other valuation approaches should be adopted for valuation of the VHF spectrum in the frequency range 117.975-137 MHz? Kindly support your suggestions with detailed methodologies, related assumptions, and other relevant factors.

ISPAI Response: See answer to previous question.

Q10. Whether there are any other issues/ suggestions relevant to the subject? The same may be submitted with proper explanation and justification.

ISPAI Response: No Comments