



VIL/P&O/TRAI/AK/2024/134
November 26, 2024

Advisor (Networks, Spectrum and Licensing)
Telecom Regulatory Authority of India,
4th, 5th, 6th & 7th Floor, Tower-F,
World Trade Centre, Nauroji Nagar,
New Delhi – 110029

Kind Attn: Shri. Akhilesh Kumar Trivedi

Subject: Counter-comments on the TRAI's Consultation Paper on "The Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023" dated 22.10.2024

Dear Sir,

This is in reference to the TRAI's Consultation Paper on "The Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023" dated 22.10.2024.

In furtherance to the comments submitted by us vide our letter no. VIL/P&O/TRAI/AK/2024/133 dated 19.11.2024, kindly find enclosed herewith counter-comments from Vodafone Idea Limited on the above-said consultation paper.

We hope our submission will merit your kind consideration please.

Thanking you,

Yours sincerely,

For Vodafone Idea Limited

Ambika Khurana
Chief Regulatory and Corporate Affairs Officer

Enclosed: As stated above



**VIL Counter Comments to the TRAI Consultation Paper on
“The Terms and Conditions of Network Authorisations to be Granted Under
the Telecommunications Act, 2023”
issued on 22.10.2024**

This is with reference to the TRAI Consultation Paper on “The Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023” dated 22.10.2024 and the comments from various stakeholders on this paper, as uploaded on TRAI’s website.

In this regard, we hereby submit our counter comments (given below) for Authority’s kind consideration.

A. Need of Active Infrastructure Sharing

1. Some of the stakeholders have submitted that there is no need to introduce separate DCIP authorisation or an authorisation for the property managers. Further, they are also of the view that there is no need to expand scope of exemption granted to property managers beyond the wireline network, specifically to deploy IBS.
2. In this regard, we would like to submit that presently, the infrastructure sharing is enabled generally in two ways i.e. passive Infrastructure sharing through IP-1 registration holders and active infrastructure sharing in between TSPs. While passive infrastructure sharing is happening on a vast scale, however, active infrastructure sharing is not happening in the market at present.
3. Telecom being a capex heavy sector, it is crucial to have sharing enabled as well as encouraged on network layers, so that creation of multiple infrastructure elements can be avoided to an extent it is possible to share. Such sharing will help save money and support economy by reducing avoidable expenses, which can then be utilized for other expansion programs.
4. Therefore, it is imperative that active infrastructure sharing is allowed and encouraged through following measures:
 - a. An authorisation is formulated which can help a third-party (other than TSPs) to provide active elements to TSPs on sharing basis.
 - b. The existing IP-1 registration and DCIP authorisation (as recommended by TRAI), can be merged into a single Authorisation. The terms and conditions of this authorisations related to active infrastructure elements, should not apply to an entity which is providing only passive infrastructure elements. To this extent, the merged authorisation should provide light touch norms for entities who provide only passive infrastructure elements.



- c. As the sharing of active elements would start with one TSP and a 2nd/3rd TSP may come later, the entity might have to procure the equipment which can support multiple bands across different access TSPs, even if they do not have agreement with Access TSPs at the time of procurement. This is required to be facilitated but, with a strict condition that these elements would not be used for providing service/sharing to any entity, other than the Access licensees/Authorisation holders under Indian Telegraph Act, 1885 or the Telecommunication Act 2023.
- d. Active sharing through TSPs should also be encouraged by removing the incidences of double levy, by providing exemption from LF/SUC levy on the payment received from such sharing.

B. Creation of shareable infrastructure (including IBS) for indoor coverage in Properties

1. Some of the stakeholder have contended that there is no need for sharing of active elements (including IBS) and hence, there should not be any authorisation for Property Managers.
2. In this regard, we would like to submit there is a need of facilitating active infrastructure sharing inside properties, to ensure adequate network coverage for customers of all TSPs. As large number of high-floor buildings have come up and/or are coming up in metros and Tier-A cities, it would be challenging to provide quality coverage from outside the buildings. As such, it is imperative to facilitate telecom network equipment deployment inside the buildings.
3. It would not be in interest of property managers or the residents/users of the buildings to have active elements deployed separately for each TSP. It would be pragmatic to enable sharing of such elements, to ensure uptake of deployments inside buildings. TRAI's recommendations on rating of Buildings as well as the Regulation on Rating framework have been issued timely and have to be supported and pushed for implementation.
4. The authorisation as explained in point no. A above, would be necessary for ensuring that the active elements reach inside the building and provide adequate coverage to the consumers of all TSPs. The Property manager (like the ones having bigger and/or multiple projects) who intend to deploy such elements by themselves and offer to TSPs on sharing basis, should be asked to take above-given authorisation under the Telecommunication Act 2023. The Property Managers (like the ones having smaller/single projects) who do not intend to deploy active elements by themselves, can partner with a DCIP Authorisation holder for such deployment and sharing with TSPs.
5. Only if above is put in place, the actual benefits of the Rating framework as envisaged by the TRAI vide its recommendations and Regulations, can be achieved.



C. New Authorisations sought by stakeholders

1. **Captive Use Authorisation:** Some of the stakeholders have submitted the following on introduction of a new authorization or certain exemptions, for captive use of network by enterprises.

“Permit Captive Use Authorisation under the Telecommunications Act 2023 enabling Indian enterprises to own, establish and manage Private Enterprise Networks (subsea or terrestrial fibers) for exclusive internal use of the enterprise, and which do not interface with end users. Since this authorisation will not have spectrum allocation and will be only for captive use (i.e., not connected to the public network), various related regulatory obligations may not be required/applicable under this authorisation.”

“...there is a need to for introducing a new network authorisation for setting up of CNPN Services for Enterprises wherein, CNPN Network Service Provider would act as System integrator for Enterprises and should also be allowed to either acquire spectrum in its present licensing capacity from other Authorised entities or direct administrative spectrum may be assigned by the Government to deploy CNPNs for Enterprises on their behalf in line with the global practices.”

“...in order to promote EODB, making India a digital hub, and promoting exponential infusion of FDI into the IT and telecom sector in India, TRAI may kindly consider recommending an exemption from ‘authorization’ under the Telecommunications Act 2023, allowing Digital Enterprises incorporated in India to own, establish and manage Private Enterprise Networks.”

2. In this regard, we would like to submit that the captive network authorization can be akin to the approach followed in case of M2M services. In case of utilization of telecom resources, it can come under a registration, but in case it involves establishing a network, it must be treated at par with other licensees. Further, any such requirement can be met through existing Access, NLD, ILD licenses/authorizations.
3. It is pertinent to note that spectrum for captive networks is not mentioned in Schedule 1, and hence, spectrum can only be acquired through auction or leased from TSPs.
4. Therefore, we do not support introduction of new authorizations or any exemption related to captive use of network for enterprises.

D. New Authorizations related to Satellite Communication Networks

1. Some of the stakeholders have proposed network authorizations for satellite communication related infrastructure and submitted that the satellite services are evolving rapidly.
2. However, we would like to submit that the satellite communication services market has not evolved and there is no business case in the market yet. In our view, the Government should allow this evolution to continue, with an eye toward promoting and ensuring level playing field, ‘same service, same rules’ and protecting public interests.



3. Once the market has sufficiently evolved, it is then that a regulatory framework should be consulted upon.
4. **Hence, to approach the network authorization framework for satellite communication services, it's important to first consider the natural evolution of the market. This can provide the necessary context for determining the best authorization framework.**
5. Further, some entities have stated that spectrum should be allocated to satellite ground stations, etc. **In this regard, we would like to submit that we do not support any spectrum allocation separately for any network-only authorization.**

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