

To,

The Advisor (NSL)
TRAI, New Delhi

Sub. : Comments on TRAI Pre-Consultation Paper on “Delinking of license for networks from delivery of services by way of Virtual Network Operators”.

The TRAI issued pre-consultation paper on 03.09.2014 on the aforesaid subject and asked the various stakeholders to comment on the issues involved in the pre-consultation paper. In this regard the following is submitted for consideration:

MTNL feels that the introduction of Virtual Network operators will help in effective utilization of the assets created by TSPs which could not be fully utilized due to one or other reasons. Accordingly, it can become a win-win situation for all stake holders i.e. licensor, TSP, VNO /SDO as well as the end customers. Further, a question has been raised as to whether enough spare network capacity is available with the present TSPs for offering to proposed VNOs/SDOs. The incumbent operators like MTNL have unutilized network resources / infrastructure specially in fixed wire line. Accordingly, if implemented properly, this can make a good business case.

LICENSING

- It is suggested that the existing TSP's and the operators having UL license should be allowed to work both as NSO & SDO (**henceforth referred as TSP only**) as well as allowed to enter into agreement with SDO licensee.
- For new entrants there should be two type of licenses i.e.(i) NSO and (ii) SDO. The new entrant may be given option to acquire either of the license or both.

ROLL OUT OBLIGATION

- The Roll out obligation may be fixed as per the nature & provisions of respective licenses.

RESPONSIBILITIES of Operators

- Both NSO & SDO may be made jointly & severally responsible for implementation of lawful interception.

SUC

- The present frameworks of SUC is suggested to continue. The TSP/NSO and SDO should pay the applicable SUC separately after adjusting the pass through charges, which should be allowed on accrual basis for all the charges payable to each other to avoid double taxation.

AGREEMENT MODEL

- The model of agreement between TSPs/ NSOs & SDO should not be regulated, and should be based only to the market forces to decide the terms. Any further intervention by the regulator may affect the purpose of this arrangement.

INFRASTRUCTURE SHARING

- For sharing of infrastructure among TSPs/ NSOs & SDOs, it is suggested for provision that for every circle, TSP/NSO can engage any number of SDO's, but SDO's should be allowed to cater only one TSP/NSO to avoid any chances of fixing priorities among services of TSPs/ NSOs by SDO.

NUMBER RESOURCE

- The number resources should be allocated to TSPs/ NSOs and the TSP/NSO will further make the allocations to SDO's, so as to make the efficient use of number resource and avoid any mismanagement in case of termination of agreement with SDO.

(R. K. Gupta)
DE(RA),CO