



**Response to the TRAI Consultation Paper on Transparency in ‘Publishing of tariff Offers’
released on November 27, 2019**

At the outset, COAI welcomes the opportunity to provide its views on the TRAI Consultation Paper on ‘Transparency in Publishing of Tariff Offers’.

We would like to make following submissions on the issues raised by TRAI in the Consultation Paper:

Preamble:

We appreciate various initiatives taken by TRAI in the form of Regulations/Directions/Orders to safeguard the interest of the consumer w.r.t. Tariff and Tariff related information.

In this regard, we would like to submit that COAI member operators are committed to provide clear explanations of their tariff plans along with proactive and clear communication about the benefits and limitation, restrictions or conditions, if any, associated with these tariff plans to their consumers. It has been a continuous endeavor of our member operators to structure their plan in such a manner that it provides a clear understanding of the tariffs to the consumers and rules out any misrepresentation on the part of the operator.

While our members are complying with the provisions of various TTOs/Directions, we would like to submit that the operating cost of the TSPs on compliance is a significant part of the total operating cost and is on continuous increase. The increasing compliance-related cost pressures, at the current state of financial stress are having considerable downward pressure on returns of the TSPs.

Considering the same, we request TRAI to undertake cost-benefit analysis keeping in mind the current issues facing the sector, which include financial health of the sector, competition in the sector, consumer benefits etc. before introducing any new Regulation on the issues raised in this consultation paper.

The endeavor of the Regulator needs to be the reduction in the cost of the compliance for the TSPs and at the same time, also ensure that the consumers receive clear and concise information on tariffs and are not disenfranchised in any manner.

Further, we would like to submit that the Authority has always followed the light touch regulatory regime, to offer freedom to design the tariff offerings as per prevailing market conditions, and customer expectations. TSPs have always published their tariff offers in a transparent and simple manner for protecting the interests of consumers.

We believe that the current Regulations/Directions/Orders of TRAI are sufficient to address the interests of the consumers w.r.t. disclosure of complete terms and conditions of the tariff offers in a transparent, clear and simple manner.

Our question wise response is given below:

Question 1: Whether TRAI should prescribe any format for publishing tariff? Please support your answer with rationale.

Question 2: If the answer to the Question 1 is yes, then please give your views regarding desirability of publishing tariffs on various modes of communication viz., TSP website/Portal, App, SMS, USSD message, Facebook, WhatsApp, Twitter, Customer care centers, Sales outlets etc. If the answer to the question is that tariffs should be published on multiple channels as above, please state whether TRAI should prescribe a separate format for each channel. Please also suggest the essentials of the format for each channel.

COAI Response:

1. At the outset, it is submitted that our members are publishing their tariffs on their websites along with providing the tariff information at their retail stores and other platforms. Further, TSPs are also publishing the various tariffs in the format prescribed by TRAI. Thus, the format currently prescribed by TRAI is being followed by our members.
2. It is further submitted that TSPs designs their products/services keeping in mind the different needs and expectations of their consumers, while following the principles of transparency. Our members also share the objective of the Authority that the consumers should be able to make informed choices from various tariff offerings so that they get value for their money.
3. Considering the requirements of their customers, operators publish the tariffs offerings, while ensuring clear and transparent communications regarding the benefits and any limitation/conditions e.g. fair usage policy etc.
4. It is important to note that various options of publishing information on other platforms including social media is dependent upon the limitations posed by these platforms such as

limitation of screen space/ size and characters etc..Thus, while it is necessary to ensure that the TSPs provide all the important details of tariff plan, the format, in which, these tariffs should be publicized, need to be within the domain of the operators. Operators, depending on their tariff design and the platform e.g. app, social media, etc. publicize their tariffs while ensuring the transparency and disclosure of all the relevant details.

5. Hence, we are of the view that while, TRAI should continue to ensure that the TSPs are offering the tariffs with complete transparency and disclosure of all the important information, TRAI should not enforce a specific format in which the tariff publication should be done. TSPs should be allowed to design the formats in which they would like to publicize their tariffs.
6. In view of above-mentioned reasons, we recommend that other than the presently prescribed format, there is no need for any new regulation/order to prescribe formats for other modes.

Question 3: Whether the extant format prescribed for publishing tariff at TSP's website conveys the relevant information to consumers in a simple yet effective manner? If no, please provide the possible ways in which the same can be made more effective?

COAI Response:

1. As highlighted in our response to Q1 & Q2, the already prescribed format for publishing tariff at TSP's website convey all the relevant information adequately to the consumers in a simple and effective manner. We would further like to submit that the telecom operators ensure that the end-user gets the information about the tariffs in a transparent manner so that they don't feel cheated. Apart from complying with the different provisions of the TRAI regulations / orders / directions, TSPs are also facilitating the awareness about the tariff plans, to their consumers, through their apps, respective websites and call centres in order to ensure that the consumers make an informed decision. Regular internal audits of the TSPs and the M&B audit done by the TRAI accredited auditors also helps in ensuring the transparency of the tariff offerings.
2. Further, the TRAI's tariff portal (<https://tariff.trai.gov.in/consumerview/index.aspx>) allows the customer to see the tariff offers by a TSP as well as compare tariff offerings from different TSPs. Thus, the end user can easily make informed decisions by comparing the services of various TSPs from the information made available by the TSPs. The information made available by the TSPs should not be deceptive, complex and difficult to interpret. As long as, this objective is being met by the TSPs, the manner in which TSPs are publishing information on their website should not be an aspect requiring regulatory oversight.

3. Our members are committed to ensuring that the information made available on their website, is simple, reliable and easy to interpret. Thus, our members are already publicising their tariff offers on their website in an effective manner which complies with the extant formats prescribed by TRAI and hence, there is no requirement of any additional regulatory intervention.

Question 4: Whether the service providers be required to publish all the tariff offerings and vouchers in addition to the publishing of tariff plans, in the prescribed format? Please provide rationale for your response.

COAI Response:

1. As responded to the Question 1 & 2, there is no requirement to prescribe any additional format for publication of tariff by the service providers. Our members follow the inherent principles of tariff publications for all type of tariffs. The publication of different vouchers (STVs, Combo packs, top-ups) is being done considering the same principles, being followed for various tariff plans and hence, there is no additional requirement of tariff publication for these vouchers.

Question 5: Whether there is a need to mandate TSPs to introduce a tariff calculator tool to convey the effective cost of enrolment and continued subscription? If yes, what can be the essential features of such a tool? If the answer is in negative, then please give reasons for not mandating such a tool.

COAI Response:

1. There are many third party vendors/ platforms (e.g. paytm, mobikwik), which are providing the facilities to the customers regarding the tariff plans available across the TSPs . Further, TRAI has also developed an online tariff portal which has all the criteria for the customers to choose the type of plans based on the data/voice usage requirement and also to compare the plans of various TSPs.
2. Also, tariff offerings in the market range from a-la-carte tariffs to unlimited bundled offerings. Therefore, it is not feasible for our members to assign values to individual components i.e. Voice/ SMS/ Data for the customer to make any meaningful comparison basis of their needs.
3. In case of assigning any value, it would be highly subjective and may not depict the real picture to the customer, leading to avoidable ambiguity in understanding the offered tariffs.
4. In view of the above, we suggest that there should not be any mandate on our member operators to introduce a tariff calculator.

Question 6: Whether the service providers be asked to disclose clearly the implications of discontinuation of tariff plan after expiry of mandatory tariff protection period of six months on the provision of non-telecom services offered as a part of the bundle at the time of subscription to a particular plan? If yes, what should be the exact details that service providers may be required to provide in case of bundled offerings? If the answer is in negative, then please give reasons for not mandating such a disclosure.

COAI Response:

1. As stated earlier, our members are committed to ensuring the transparency and full disclosure of information pertaining to their tariff offerings. The terms and conditions and details of non-telecom services, if any, offered as a part of any tariff plan are also being given along with the tariff details by our members. Thus, **our members disclose the terms associated with the use of non-telecom services which they bundle with their plans as well.**
2. Further, the applicable conditions pertaining to non-telecom benefits along with tariff plan details are clearly communicated to the customer at the time of enrollment.
3. In view of the sufficient measures already being in place, there is no need for any further regulation.

Question 7: Whether the service providers be required to provide a declaration while reporting tariffs to TRAI and displaying tariffs through its various channels that there are no terms and conditions applicable to a tariff offering other than those disclosed here? Do we require additional measures to ensure that all the terms and conditions are clearly communicated to the subscribers and the Authority? If the answer to the above is yes, then please provide your suggestions in detail. If you do not agree with the above requirement, please provide detailed reasons for the same.

COAI Response:

1. The tariff reporting done by the TSPs as per the extant provisions of the Telecommunication Tariff Orders (TTOs) is a declaration in itself that according to them, they are in compliance with the various provisions pertaining to tariff offerings. This also includes compliance with the provisions of various Orders/Directions of TRAI pertaining to tariff publication. If TRAI, after examination of the reported tariff, finds any lacuna, then the same is being corrected by the TSPs.
2. Further, it is important to note that the display of all terms and conditions with respect to tariff offer is not feasible on all platforms such as SMS/ App/ any social media platforms etc. due

to limitations in the character/ display area. However, customers are well informed about the tariff offer on important platforms such as service provider's website, point of sale, call-centre and are encouraged to refer our member operators' website for detailed terms and conditions of the offer.

3. As all the terms and conditions are being adequately displayed on the TSP's website and also reported during TRAI filing, there is no need to provide an additional declaration while reporting tariffs to TRAI and displaying tariffs through various channels .

Question 8: Whether the service providers be required to publish details of all plans in the prescribed format including the plans not on offer for subscription but active otherwise? Please support your answer with rationale.

COAI Response:

1. The plans, which are not on offer for subscription, but active for existing subscribers, need not be further published. These offers, are already published at the time of launch/reporting to the TRAI.
2. Once, the TSPs withdraw these offers, the same does not exist for any new subscribers except for those who are already in the plan.
3. Closure/withdrawal of any plan means that the said plan is no more available for enrolment. Thus, the publication of this type of plans/offers, which are not available for enrolment, will only create avoidable confusion amongst the customers.
4. Thus, to ensure that the customers can make informed decisions based on the available plans/offers, it is suggested that the plans which are not on offer for subscription should not be published by the TSPs.

Question 9: Whether the service providers be required to update the information on point of sale and retail outlets simultaneously with the launch/change of a tariff offer?

COAI Response:

1. It is a continuous endeavour of our members to ensure that the POS/retailers be updated as soon as any new tariff is being launched or any modification done on the existing tariffs.
2. However, due to logistical issues, considering the pan India operations and the widespread outlets across the country, the operators cannot confirm the simultaneous updating of information on POS/retails in the form of hard copy/ printed material with the launch/change of a tariff offer.

3. Thus, there should be no mandatory provision to update the information in print/ hardcopy on point of sale and retail outlets.

Question 10: Whether the tariffs published in prescribed formats are displayed on websites of the service providers in an effective manner? If no, should the manner of display on website may also be prescribed by the Authority? If it is felt that the manner of display on website may be prescribed by the Authority, please give your views on the proposed display framework.

COAI Response:

1. As submitted earlier, our member operators are committed to ensuring complete transparency and disclosure of information regarding the offers on their website. To attract more customers and empower the customers so that they can make an informed decision, our members display their tariffs in a clear, simple and effective manner.
2. While we agree that the tariff offers should be displayed in an effective manner, the formats to display the same should be left to the operator's choice. TSPs chose different ways to present their products to make their website attractive while conforming to the branding. Any attempt to standardise the way a product should be displayed on a website, will take away the freedom to do business from the TSPs which is a fundamental right.
3. In our view, the endeavour of TRAI should be to ensure that the information available on the website of TSPs comply with the basic principles of transparency. Also, it is requested that TSP's website is their property which is designed with an objective to offer customer convenience and simplicity in displaying the relevant information. Therefore, it is requested that TRAI should not mandate any format for display of tariff offers on the website of the service providers.

Question 11: What are your views on introduction of concept of unique id and requiring the service providers to link the tariff advertisements etc. with corresponding tariffs published in TRAI prescribed formats including requirements to publish dates of implementation of tariff and that of reporting of tariff. Do you think that any other safeguards need to be introduced? If yes, please elaborate. Please support your answer with rationale.

COAI Response:

1. TSPs publicize their tariffs across different platforms and channels. Mandating the unique id and linkage of the same with the different advertisements will make the exercise very complex.

2. The information which is important for the customers are already being made available transparently by the operators in their advertisement across different platforms. We are of the view that mandating a unique id might not be beneficial for the user, in fact the same will only complicate the matters and increase the burden of reporting and compliance on the TSPs.
3. Considering the cost of the compliance, in case such a concept is implemented, and the low benefit of this to the users, we submit that there is no need for linking the unique id with the tariff advertisements.
4. Hence, we believe that Regulatory intervention is not required and there is no need of linking the unique id with the tariff advertisements.

Question 12: Whether the proposed monitoring and compliance mechanism is enough to deter any violation of compliance with applicable regulations/directions. If no, please suggest further safeguards that may be introduced to ensure a robust monitoring and compliance mechanism.

COAI Response:

1. The existing regulations, orders and directions are adequate for the purpose of monitoring and compliance of different tariff offerings of the service providers. These provisions, not only cover the manner of information communicated to the service providers, but also the activation of any plan/pack with the explicit consent of the subscribers. These regulations have a broad spectrum of checks and balances to ensure non-transparent offerings.
2. TSPs comply with these provisions of various TTOs/Directions, TSPs themselves ensure that their tariff publications are also in line with their reported tariffs.
3. Further, the Metering and Billing Audits done as per the prescribed Regulations also ensure that the charging has been done as per the reported/published tariffs and if any discrepancy is found, TSPs are liable to pay financial disincentives.
4. Thus, we are of the view that there should be no additional requirement for the purpose of monitoring and compliance.

Question 13: Any other issue relevant to the subject discussed in the consultation paper may be highlighted.

No Comments.
