



DIGITAL  
LIFE

RJIL/TRAI/2020-21/53

03<sup>rd</sup> June 2020

To,

**Shri Syed Tausif Abbas**  
**Advisor (NSL-II)**  
**Telecom Regulatory Authority of India**  
**Mahanagar Doorsanchar Bhawan**  
**Jawahar Lal Nehru Marg, New Delhi 110002**

**Subject: Comments on Consultation Paper on "Methodology of applying Spectrum Usage Charges (SUC) under the weighted average method of SUC assessment, in cases of Spectrum Sharing" dated 22.04.2020.**

Dear Sir,

Please find enclosed comments of Reliance Jio Infocomm Ltd. on Consultation Paper on "Methodology of applying Spectrum Usage Charges (SUC) under the weighted average method of SUC assessment, in cases of Spectrum Sharing" dated 22.04.2020.

Thanking You,  
For Reliance Jio Infocomm Limited,

**Kapoor Singh Guliani**  
Authorised Signatory



Enclosure: As above.



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**Reliance Jio Infocomm Ltd.'s (RJIL) Comments on TRAI's Consultation Paper on  
"Methodology of applying Spectrum Usage Charges (SUC) under the weighted average  
method of SUC assessment, in cases of Spectrum Sharing"**

1. At the outset we welcome opportunity extended by the Authority to comment on Consultation Paper on "Methodology of applying Spectrum Usage Charges (SUC) under the weighted average method of SUC assessment, in cases of Spectrum Sharing".
2. The continued rise in mobile data traffic requires access to additional spectrum to meet the growing demand. Spectrum sharing arrangement is of great consequence as part of spectrum demand can be met by allowing two licensees to combine part or all of their spectrum and use that more efficiently.
3. Technology upgradation is a continuous process in telecom sector. Carrier aggregation was not common when these guidelines for spectrum sharing were issued but today it is a very common practice as equipment to support four different bands are available for 4G technology.
4. Although there are lots of benefits of spectrum sharing for consumers as well as service providers, but spectrum sharing cannot succeed unless there is an enabling regulatory framework which encourages spectrum sharing. The issue raised in the consultation paper is based on different interpretation of unambiguous clause by some sections.
5. The spectrum sharing guidelines dated 24<sup>th</sup> September 2015 ("Guidelines") provide that (i) Spectrum sharing is permitted between two TSPs having Access authorization in same LSA and utilizing the spectrum in the same band. (ii) the Spectrum Usage Charge (SUC) rate of each of the licensees post sharing increases by 0.5% of Adjusted Gross Revenue (AGR) and (iii) for purpose of SUC it will be considered that entire spectrum holding in the particular band has shared. The reading of these provisions lead to only one interpretation that incremental SUC rate is applicable to the shared band and not on the entire spectrum holding. Similarly, the TRAI Recommendations dated 21<sup>st</sup> July 2014 and response to back reference dated 25<sup>th</sup> April 2015 (Collectively referred as "Recommendations" hereinafter), on which the Guidelines are based, nowhere indicate that the incremental SUC is to be levied on entire spectrum holding of a licensee.
6. In fact, what is easily and clearly inferable from the Recommendations is that since every spectrum sharing proposal is a separate proposal, which is specific to a spectrum band and Licensed Service Area (LSA), the incremental SUC of 0.5% applies to that particular spectrum band in the specified LSA, as has also been acknowledged by the Authority in the Consultation Paper. We submit that this along with the combined reading of para 2, 3 and 12 of the DoT Guidelines is sufficient to remove any residual ambiguity in understanding of applicability of incremental 0.5% charge. Needless to add

