



Annex

VOICE comments on Issues for Consultation

1. Who we are and Why We are Commenting ?:

Consumer Voice welcomes the opportunity to respond to this consultation paper. This is the 25th year of our existence as well as our work to educate consumers and protect consumers interest. We were among the first Consumer Advocacy Groups to be registered by TRAI and have been recognized by the Union Department of Corporate Affairs under MRTP Act, 1969 and are currently operating a Programme for Comparative Testing of Consumer Products and Services under an MoU with the Union Ministry of Consumer Affairs

1. Do you agree with the definition of MVNO given in section 2.1.6? If not please suggest alternate definition with justification.

In SPECTRUM SCARCE environment, this is the ideal definition.

2: Do you think there is a need to introduce MVNO in the Indian Telecom Market. If yes, is it the right time to introduce MVNO as a distinct service provider with its own licensing and regulatory framework? Please elaborate the comments with appropriate reasoning.

YES. RIGHT TIME

- **OPTIMUM and JUDICIOUS utilization of available spectrum.**
- **MVNOs can concentrate on the niche and the specific target**
- **MVNOs may provide NEEDED / SPECIFIC value added service to its clients**
- **Which may be cheaper for the targeted population.**
- **Depending on LARGE MNOs may not produce desire result for further penetration and suitable bundling of incentives but**
- **MVNOs and MNOs, jointly be synergetic.**
- **Will add to MNOs sliding revenue**

3: To what extent should the MVNO be permitted to set up their own infrastructure?

Funds permitting, MVNOs be permitted to set up infrastructure right up to MSC , Like a FULL MVNO, so that they may devise and service their niche market.

4 (i): What Regulatory Model should be followed for MVNO in the Indian context?

In INDIAN scenario, voluntary sharing of spectrum or cooperation by MNO does not seem possible . Sharing of spectrum need be mandated.

(ii): What kind of obligations may be imposed on MNOs so that Mobile Virtual Network Operations are implemented effectively in India benefiting the customers?
Please elaborate the comments with appropriate reasoning.



Timely roll out of NETWORK / SERVICE.



5: What should be the eligibility criteria for MVNO?

ONLY eligibility criteria should be . the net worth and paid up capital of the company. Prior experience in the telecom services must provide edge over other competitors.

6: Do you suggest different eligibility criteria for different MVNO models and regulatory frameworks? If Yes, Please suggest with justification thereof.

NO

7: Should there be any restriction on the number of MVNOs attached to an MNO? Please elaborate the comments with appropriate reasoning.

NO restriction if the QUALITY of Service is not compromised.

8: What should be the commercial model/framework for spectrum sharing by MVNO; w.r.t.

(i) Department of Telecom and (ii) MNO?

(i) DoT--NIL except the issue and monitoring of regulation.

(ii) MNO- Need be laid down by the regulator in term of percentage, depending on area , size and subscribers and usage— 2G, 3G or BWA bands

9: What should be the service obligations of MVNO? Please list them with justification thereof ?

- billing,
 - customer care,
 - national security requirements ,
 - quality of service,
 - access to emergency services,
 - subscriber verification,
 - number portability,
 - controlling of unsolicited commercial communications and tariff.
- Must be included in the service obligations of MVNO**

10. What should be the method and consideration for determining the entry fee for MVNO?

NIL

11. What should be the definition of AGR for MVNOs?

AGR =Gross revenue minus

A] PSTN related charges,

B] roaming charges



C] Taxes paid

D] USO

12: What is the best way to protect the subscribers both in terms of continuity of service and applicability of tariff plan:

- i) in case of a dispute between MVNO and MNO?
- ii) in case MVNO wants to exit the business.



In either case , It should be mandated on MNO to continue the service provision to the Subscriber .

13: Should there be any roll out obligations specified for MVNO? If yes, what should be the penal provisions for failure/ delay in fulfilling the obligations.

YES. Penal provisions must be laid down by the regulator.

14: What shall be the specific guidelines on the Mergers and Acquisitions of MVNO? Please elaborate the comments with appropriate reasoning.

NO COMMENTS

15: Should there be any restriction on cross holdings between two MVNOs and between MVNO and an MNO in a service area? Please comment on the nature and scale of restructuring.

NO RESTRICTIONS

16: What should be the FDI limit for MVNO?

As extended to MNOs.

17: What should be the quantum of FBG and PBG for MVNO?

NO COMMENTS.

18: Any other relevant issue you would like to suggest /comment upon.

Nil

Prepared by Working Group set up by VOICE in April 08 for submission to TRAI in response to its Consultation paper. It has been provided for use of TRAI and may not be used by anyone else without permission of the authors. © April 2008 : Comments are welcome to VOICE, 441, Jungpura, Mathura Road, New Delhi 110024 Email: cvoice@vsnl.net Web: www.consumer-voice.org