Consultation Paper

On

Regulation of International Mobile Roaming Services

The TRAI has issued a consultation paper on 26.05.2020 on "Regulation of International Mobile Roaming Services". The various regulations, directions, etc., issued by TRAI are reviewed and amended, if required, from time to time considering the change in sector landscape or considering the specific issues relating to the functioning of the telecommunication sector.

The present consultation paper focusses on the review of the regulatory framework to prevent instances of bill shocks to consumers availing IMR Service. The uniqueness of IMR Service vis-à-vis other alternatives implies a de facto monopoly of the Home Operator and raises concerns of any potential abuse of monopoly power resulting in adverse consequences for the consumer, be it in the form of abusive tariffs or a general lack of transparency in the communication of tariffs leading to a situation of bill shocks. The following questions are being posed for comments of stakeholders. The complete consultation paper is available on TRAI website.

ISSUES FOR CONSULTATION

Question 1: Should not the IMR service remain inactive at the time of issue of the sim till the same is activated by the subscriber as a part of the IMR tariff-selection exercise? Please elaborate your submissions.

Response:

IMR services should remain inactive at all times unless and until the customer makes an explicit request to activate International Roaming.
IMR being a costly service should be well taken care of so as to safeguard the interest of customer at all times. Moreover the consent from customer should be taken differently for different services corresponding to different tariff components (eg. data, voice and sms).
It's only through such thorough measures one can ensure that customer pays only for services which one actually requires.

Question 2: Should it not be mandatory to communicate the details of activation and applicable tariff immediately by SMS or email on completion of the tariff-selection exercise by the subscriber? Please give your views.

Response:
Any action pertaining to modification of existing status of IMR services should be communicated to the customer without any lag through SMS/email or both. This includes details of activation of IMR services and the tariff applicable.

It has been also observed that sometimes the update on status of activation and other relevant details happen with some lag (at times even after days) this creates situation of confusion for customers. If such a situation happens while the customer is already in the visiting country one can only imagine what happens to customer satisfaction.

Hence not only the communication of activation and applicable tariff (by SMS and/or Email) should be mandated but also the timeframe in which the customer receives such intimation should also be quantified.

Question 3: Should not the tariff details and related terms and conditions be communicated to subscribers of IMR service by SMS and /or email as soon as the phone is switched on in the visiting country by the subscriber. Please elaborate your views.

Response:
As soon as the customer touches the visiting country, it is expected that the service provider communicates the tariff details and related terms and condition through SMS and/or Email. This could be considered as a validatory step or a double check so that the customer is well informed of the choices they have opted while activation of IMR and subsequent tariff selection. Hence reducing possibilities of bill shock.

Question 5: Should not the IR packs apply automatically the moment subscriber's expenses on IMR Services exceed the corresponding daily IR Pack rate unconditionally for all the countries for which the service provider is offering IR Packs?

Response:
IMR services essentially being an expensive service should always rely on customer consent before performing any automatic action on the existing tariff plan. This even applies when the customer exceeds the daily IR pack limits.

Undoubtedly the customer can be provided with predefined choices by the service provider. These choices could be broadly divided into two basic categories:
a: suspend the services until the next day quota is revoked
b: continue with the services by exceeding the subscribers expenses with explicit mention of the tariff rate.

Question 6: Can IR Packs presently offered for one day duration be used to subscribe for multiple days to avail IMR Service? Whether the TSPs be mandated to permit combination of different IR plans as per requirement of the consumer? Please elaborate your submissions.

Response:
Some service providers have such plans in place which allows customer to subscribe IR packs with validity of one day to be used for multiple days. In such cases the customer has to request for the activation of IR pack on daily base or whenever it is required by the customer.

Flexibility with combination of different IR plans will open gateways to get a personalize plan for the customer as per their usage behaviour. Any regulation in such a direction will be ensuring customers interest and hence combating bill shock.

Question 7: Why should not the IMR tariff be counted in 24 hour format on the first use of data, making or receiving a call or sending a text message and renewing the charges for only those 24-hour periods in which the services have been used rather than on calendar day basis? Please elaborate your submissions.

Response:
IMR tariff be counted in 24 hour format rather than on calendar day basis.

Question 8: In consumer interest why it should not be mandated for the service providers to send updates in respect of the data usage exceeding certain pre-established milestones such as 50%, 80%, 90% and 100% of the data entitlement? Please give your views.

Response: *Customer should be provided with updates on data usage exceeding certain pre-established milestones such as 50%, 80%, 90% and 100% of the data entitlement.*

Question 9: Will it not be advisable to mandate the TSPs to inform the subscriber by SMS every time the subscriber lands in a country/area not covered by the IR Pack subscribed, of the fact of roaming in an uncovered zone, and the tariffs applicable thereto? Would the aforesaid requirement suffice or whether alongside this, the TSPs be mandated to keep the mobile data in the inactive mode and activate only in accordance with the directions of the subscriber? Are there any other measures that can be taken to cover the situation as detailed?

Response:
The requirement of sending multiple messages for acknowledging different area/country with corresponding tariff could be eliminated if the default mode of International Roaming is inactive mode.

However if the IR is default active, then the customer should receive due intimation on the options they have when the country/area not covered by the IR Pack subscribed or in the case of roaming in an uncovered zone. This should be paired with information of tariff subjected in all the available options.

Question 10: What are your views on the measures suggested in para 3.20 to protect the consumer from bill shocks dues to usage of services beyond the pack entitlements? Please provide your views on each of the above measure and suggest additional measures, which in your opinion can be helpful in addressing the issue.

Response:
The measures suggested under para 3.21 are :
*1. **Requiring the TSPs to bar the usage of any/all of the services once the plan entitlements are reached, and reactivating only on the explicit directions of the subscriber which can be availed through SMS, Mobile Application, Website, etc. or***
→ Barring usage of services on completion of set entitlement is the best option to safeguard customers interest and avoiding causes of bill shocks. Obviously, once an explicit consent is received by the customer the services could be used again.

*2. **Capping the amount that can be charged to the consumer in any situation to the amount of the credit limit fixed by the TSP for the subscriber or any other limit pre-agreed by the consumer at the time of activation of the IMR Service***
→ Setting threshold to credit limit with prior knowledge of the customer is a better option to safeguard customers from bill shocks.

*3. **Requiring the TSPs to charge for another daily IR Pack if the usage exceeds the entitlements given in an IR Pack instead of levying the Standard Rates after the usage exceeds the plan entitlements.***
→ Considering that the Standard Rates are always higher than the daily IR Pack charges, this could be a good option.

However in cases when the service usage entitlements exhaust few seconds/minutes before the end of 24 hr cycle, then in such case Standard Rates would be beneficial for the customer instead of spending another daily IR Pack.
Or what will happen when the 24hr cycle gets completed after the customer has already opted of another daily IR Pack. Will the previous one be exhausted or subscriber will prorate

the charges for the specific time and on completion of the actual 24 hr cycle a new IR Pack will be applied.

Hence this particular suggestions needs to be well understood from customers perspective such that any situation of exploitation on grounds of automatic shift to another daily IR Pack could be avoided.

Secondly, if the choice is directly given to the customer to make an informed decision considering theirs usage requirement would be helpful both ways. This means that on exhaustion of daily prescribed quota, the customer should be given options on what they would like to have so as to continue using services
a. another daily IR Pack
b. Standard Rates
On the basis of the choice made subscriber can activate the services.

Question 11: Any other issue relevant to the subject discussed in the consultation paper may be highlighted.

Response:
In addition to the existing tariff discovery/evaluation tool that the service provider has for the customers. The regulatory body shall also have a master/central tariff evaluation tool which could help the customer to compare alternative roaming tariffs and take informed decision as far as the International Roaming is considered.