

Date: July 4, 2019

To,

Shri U.K.Srivastava

Secretary I/c, Telecom Regulatory Authority of India,

Mahanagar Door Sanchar Bhawan,

Jawahar Lal Nehru Marg,

New Delhi- 110002.

Sub: Comments on the consultation paper.

Ref: Consultation Paper on “Review of the Regulatory Framework for Interconnection”, dated May 30, 2019 (“**Consultation Paper**”).

Dear Sir/Madam:

At the outset, I appreciate and welcome the Consultation Paper on the issues of “Review of the Regulatory Framework for Interconnection” issued by Telecom Regulatory Authority of India (“**TRAI**”). I am thankful to TRAI inviting all stakeholders to provide comments on the issues raised in the Consultation Paper. I submit my comments based on the research conducted with regard to the issues mentioned in the Consultation Paper.

My comments, key ideas and points to the issues has set forth in line in the Annexure A annexed hereto.

I would be glad to discuss these important issues further.

Yours faithfully,

Sangeet Sindan

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Annexure A

I. Comments

My comments with respect to the queries have been set forth as follow in turn:

Q.1 Whether the flexibility be provided to interconnecting operators for interconnecting PSTN to PSTN networks at SDCC/ Level II TAX (SSA)/ Level I TAX (LSA) levels as per their mutual agreements? If no, then justify your comments with reasons.

Comment: PSTN to PSTN interconnection should be allowed as per the mutual agreement at all three levels, namely: Short Distance Charging Centers (SDCC) or Level II Trunk Automatic Exchange (“**Level II TAX (SSA)**”) or Level I Trunk Automatic Exchange (“**Level I TAX (LSA)**”). The service provider should have liberty to choose any of the said levels for interconnectivity to achieve economic efficiency and quality of services for providing the telecom services; in other words, regulatory framework should provide a conducive environment on the principle of “any to any connectively” “at any level”. Following points can be considered for the said purpose:

- a) It’s pertinent to note that interconnection at SDCC level would help to avoid any traffic charge or fee for long distance charging center;
- b) allowing said facility would help to achieve more competitive level playing field for the access service provider and would ultimately benefit the end consumers; it would also help reducing the abuse by dominant interconnection providers;
- c) the tele-density in rural areas is much lower, and expenses or cost for telecom network in rural areas are much higher than the urbanized telecom areas; in that case if small telecom operators have liberty to select any of the level then it would help reducing the cost of operators focusing on rural areas.

Q.2 In case of no mutual agreement between the operators, what should be the level of interconnection for interconnecting PSTN to PSTN networks be mandated in the Regulations.

Comment: The Regulations should stipulate the roles and responsibility of the dominant operators – specially the long-distance service providers having pan India presence – in relation to the matters such as providing a non-discriminatory access to the point of interconnection. The regulatory framework’s focus for interconnection arena should be limited to discouraging any anti-trust model which may be imposed by dominant telecom operators and technical standards; broadly, the regulatory framework for interconnection should be on the principle of asymmetric regulations i.e. a dominant operator who enjoys significant and dominant market power should be regulated; a dominant operator could be at any level i.e. SDCA, Level II TAX (SSA) and Level I TAX (SSA); in that scenario TRAI should provide a model agreement for all three levels. In case of interconnection by such dominant telecom operators (interconnection providers) the terms and conditions should be at par and not less than standard provision provided in the model agreement of TRAI. Regulatory model agreement would provide a parameter for negotiation among the operators; also, if no agreement is concluded between the inter-connection seeker and inter-connection provider and the said parties don’t arrive at mutual agreement as per the standard norm of dispute resolution mechanism provided by TRAI, then model agreement of TRAI would prevail.

Disclaimer: The views expressed above are of the author and not the professional views of any firm, institution or organization.