

**Telecom Regulatory Authority of India**  
**Notification**  
**New Delhi, the 31<sup>st</sup> December, 2003**

No.409-5/2003-FN

In exercise of the powers conferred upon it under section 36 read with clauses (ii), (iii) and (iv) of sub section (b) of Section 11 (1) of the Telecom Regulatory Authority of India Act, 1997 as amended by TRAI (Amendment) Act, 2000, to fix the terms and conditions of interconnectivity between Service Providers, to ensure effective interconnection between different service providers and to regulate arrangements amongst service providers of sharing their revenue derived from providing telecommunication services, the Telecom Regulatory Authority of India hereby makes the following Regulation.

**The Telecommunication Interconnection Usage Charges  
(Third Amendment) Regulation, 2003 (7 Of 2003)**

**Section I**

**Title, Extent and Commencement**

1. Short title, extent and commencement:

- (i) This Regulation shall be called "The Telecommunication Interconnection Usage Charges (Third Amendment) Regulation 2003".
- (ii) The Regulation shall be deemed to have come into force from the date of its notification in the official Gazette.

## Section II

2.1 Clause 2.(iv) in Section II Definitions of The Telecommunication Interconnection Usage Charges Regulation, 2003, dated 29<sup>th</sup> October, 2003 shall be deleted and substituted to read as under:

(iv) “BSO, CMSP, ILDO, NLDO and UASP” respectively mean the Basic Service Operator, Cellular Mobile Service Provider, International Long Distance Operator, National Long Distance Operator and Unified Access Service Provider.

2.2 A new sub-clause (xxx) under clause 2, Section II Definitions of The Telecommunication Interconnection Usage Charges Regulation, 2003, dated 29<sup>th</sup> October, 2003, shall be added to read as under:

(xxx) “Cellular” means fully mobile service provided by CMSPs and UASPs through GSM, CDMA or any other technology.

2.3 In clause 4 of Section IV of The Telecommunication Interconnection Usage Charges Regulation, 2003, dated 29<sup>th</sup> October, 2003, sub-clause (ii) shall be deleted and substituted to read as under:

“(ii) The date of effect for actual implementation of IUC shall be 1<sup>st</sup> February, 2004.”

2.4 In Clause 3.1 under Schedule III, of The Telecommunication Interconnection Usage Charges Regulation, 2003, dated 29<sup>th</sup> October, 2003 the second sentence starting with “The ADC will be payable ....” and ending with “.... International Long Distance service providers” shall stand deleted.

### **Section III**

#### **3. Explanatory Memorandum**

This Regulation contains at Annex A, an explanatory memorandum to provide clarity and transparency to matters covered under this Regulation.

**BY ORDER**

**[DR. HARSHA VARDHANA SINGH]  
Secretary-cum-Principal Advisor**

## Annexure – A

### EXPLANATORY MEMORANDUM

1. The Telecommunication Interconnection Usage Charges Regulation issued on 29<sup>th</sup> October, 2003 had initially envisaged the implementation of the revised IUC regime by 1.12.2003. As some of the service providers had sought clarification on a number of issues relating to implementation of the IUC regime and in order to give the necessary clarifications, the date of implementation of the IUC Regulation was initially extended to 15<sup>th</sup> December, 2003.
2. Meanwhile, the Authority had received various representations from service providers on the issue of level playing field between CMSPs and the BSOs, who have migrated to the Unified Access Service License in the matter of TAX usage charge/ carriage charge, Point of Interconnection, numbering etc. The Authority has had detailed meetings with the service providers on these issues. There were also requests from various service providers for postponement of the implementation of the IUC regime and date of implementation was revised to 1<sup>st</sup> January, 2004.
3. The issue of implementation of IUC Regulation dated 29<sup>th</sup> October, 2003 together with implementation of the Unified Access Service Licence was raised by various Service Providers. The Authority received various representations from service providers on the issue of level playing field between CMSPs and the BSOs, who have migrated to the Unified Access Service License in the matter of TAX usage charge / carriage charge, Point of Interconnection (POI), numbering etc. The Authority has had detailed meetings with the service providers on these issues. During these meetings, the Authority received inter alia suggestions from service providers that in the IUC regime, there should be identical provisions for mobile services provided by both CMSPs and BSOs that have moved to the Unified Access Service Regime and are providing full mobility.

4. Taking note of the various points raised in these discussions and to maintain the level playing field, a number of decisions have been taken by the Authority.
5. All fully Mobile Cellular Services using any technology are to be treated at par in connection with:
  - (a) Numbering Scheme
  - (b) Terms and conditions of interconnection, including charges and level of interconnection. The level of interconnection for fully mobile service will normally be at level II TAX, and by mutual agreement at other points i.e. the level of interconnection will be the same as for GSM Cellular service providers.
6. In regard to the numbering issue, the Authority had forwarded its recommendations in line with the above decision, on 23<sup>rd</sup> December 2003 to the Department of Telecommunications, who is the Numbering Plan Administrator. TRAI had recommended that Numbering Scheme for full mobility provided by the existing and new Basic Service Operators who have migrated to Unified Access Service Licence should be at the same level as that for GSM Cellular subscribers. In view of the on going consultation process on Unified Licensing for all telecom services, no change in Numbering or Routing was proposed at this stage for Limited Mobility Service.
7. The DOT has accepted the above mentioned recommendations of TRAI and has provided for 30 days from 1<sup>st</sup> January , 2004 for implementation. Based on the decision of DOT, a period of one month will be allowed to the operators to implement the scheme and the new Numbering arrangements should be functional latest by 1<sup>st</sup> February 2004.

8. The Authority has decided that the IUC charges for both CDMA and GSM full mobility services shall be the same as specified for cellular mobile services in the IUC Regulation dated 29.10.2003. Implementation of such an IUC regime requires clear distinction between full mobility and limited mobility. The above mentioned decision on Numbering has to be implemented to achieve this objective. Taking note of the fact that the new IUC regime was to be implemented from 1<sup>st</sup> January, 2004 and date of implementation for the Numbering in case of the Fully Mobile Services has been fixed as 1<sup>st</sup> February 2004, the Authority has taken a decision that the new IUC Regime also should be implemented from 1<sup>st</sup> February 2004. Accordingly, the Authority has also decided that identical IUC charges shall apply for both CDMA and GSM full mobility services, irrespective of Point of Interconnection, from February 1<sup>st</sup>, 2004 i.e. date of implementation of the new IUC regime, because the change-over of the level of interconnection may take a longer time than implementation of the number changes (please see below).
9. In so far as implementation of change of the Point of Interconnection for full mobility under Unified Access License as per Para 5(b) above is concerned, more work and time is needed, and this change should be progressively completed by March 31, 2004. BSNL is being directed to provide all Interconnection facilities as may be required for the implementation of changes of the POIs.
10. Other Numbering and Interconnection related issues like same level of Numbering for Full Mobile and Limited Mobile subscribers, implementation of limited mobility through Home Zone tariff concept, Interconnect Gateway Exchange etc. will be addressed as part of the Authority's consultation paper on Unified License for all telecom services. It is, however, clarified that for full mobile subscribers using any technology, TRAI's recommendations already given to DOT on December 23, 2003 are not a subject of the above consultation process.

11. The service providers have to file with the Authority, the amended interconnect agreement, in conformity with this Regulation latest by 15<sup>th</sup> February, 2004.

**[DR. HARSHA VARDHANA SINGH]**  
**Secretary-cum-Principal Advisor**