Government of Odisha

Electronics and Information Technology Department

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Letter No. 1378 /E&IT Dated. 5.5.2022

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From

Shri Laxmiprasad Bhuyan,
Deputy Secretary to Government.

To

The Secretary, TRAI,

Govt. of India, New Delhi

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Sub: Comments on the consultation paper issued by TRAI on "Use of Street furniture for small cell and aerial fibre deployment" – regarding.

Sir,

In inviting a reference to your D.O No.C-17/(1)/2022-BBPA, dated 31.03.2022 on the above subject, I am directed to enclose herewith the comments/ suggestions on the consultation paper issued by TRAI on "Use of Street furniture for small cell and aerial fibre deployment" for your kind information and necessary action at your end.

Yours faithfully,

4.5.2022

Deputy Secretary to Government

Views on the Consultation Paper issued by TRAI on "USE OF STREET FURNITURE FOR SMALL CELL AND AERIAL FIBER DEPLOYMENT".

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Issues for consultation.

Q.1: Is there a requirement for any modification in existing RoW Rules as notified by DoT to accommodate small cell deployment on street furniture? If yes, please provide the changes required.

Comments:

The state of Odisha has approved the "Odisha Mobile Towers, OFC (Optical Fibre Cable) and related Telecom Infrastructure Policy, 2017" subsequent to the Indian Telegraph rules 2016. This policy aims at streamlining the process of application and grant of permission for Installation of Mobile Tower, laying of OFC, In-Building solutions and other telecom infrastructures within the specified time line. Further the recent amendments issued in Oct 2021 is being incorporated for Aerial fibre deployment.

Q.2: Have the amendments issued in 2021 to RoW rules 2016 been able to take care of the needs of aerial fiber deployment? If not, what further amendments can be suggested? Please provide exact text with justification.

Comments:

The amendment does take care of Aerial fibre deployment.

Q.3: What are the suggestions of stakeholders for aligning RoW policies issued by various other Central Government Bodies with existing DoT RoW policy?

No comments

Q.4: Whether it should be mandated that certain public infrastructure (municipality buildings, post offices, bus, and railway stations, etc.) be earmarked to have dedicated spaces that allow service providers to deploy macro/small cells? If yes, what are the possibilities and under what legal framework this can be done? What should be the terms and conditions of use of such infrastructure? Please provide detailed inputs with justifications.

Comments:

Deployment of Small area wireless access points (SAWAP) for 5G at Public infrastructures need to be earmarked for ease of deployment. A general terms and conditions need to be worked out by DoT so that certain minimum fees to cover the cost of processing and maintenance of the RoW infra is mandated. Time line for such approval be fixed with deemed approval clause after 60 days.

The DoT may come out with an amendment of the existing RoW policy, which shall be followed by the States by revising existing RoW policy. This will ensure access to street furniture in an orderly, non-discriminatory, and transparent manner. The states may be encouraged to publish their sites in a city ready for small cells deployment so that 5G could be deployed early. This may encourage healthy competitions amongst the states.

Q.5: Can some of the street furniture like traffic lights, metro pillars etc be earmarked for mandatory sharing between controlling administrative authority and Telecom Service/Infrastructure providers for deployment of small cells and aerial fiber? Does existing legal framework support such mandating? What should be the terms and conditions of such sharing? Please provide details.

Comments:

Mandatory sharing subject to structural fitness, to accommodate power, antenna and associated fiber and other cabling equipment, be considered through a national policy by DoT. Certain minimum fees to be specified in consultation with the stake holders for traffic lights and metro pillars. Existing legal framework does not support such mandating. States may be asked to issue such policies to attract early 5G deployment. Terms and conditions for such deployment could be as follows:

1. *Proper advance notification to infra owners be conveyed by the operators*
2. *It should indicate their plan and timeline of installation*
3. *Operators need to respond to the infra owners during the planning period*

Q.6: How can infrastructure mutualization and infrastructure collaboration be ensured to avoid exclusive rights of way? What legal provisions can support mandating these? Provide full details.

Comments:

The infrastructure mutualisation (Mutualization is sharing of a common infrastructure by all service providers) and infra collaboration (Electric lines or roads) has to be mandated by a central policy followed by a state policy on similar lines.

Q.7: Should there be permission exemption for deploying certain categories of small cells at all places or all categories of small cells at certain places (Like apartments etc.)? What legal framework will support such exemptions?

Comments:

Permission exemption could be there for Government, PSU buildings, apartments

Owned by PSUs or state development authorities. But such exemption on private apartments may lead to legal complications. But deemed approval clause for private apartments could be enforced after 60 days.

Q.8: What should be the criterion/ conditions (like power, height etc.) and administrative procedure for implementing such exemptions? Please provide exact text with detailed justifications.

Comments:

To be worked out by DoT in consultation with the operators.

Q.9: For Small Cells that do not fall under the exemption category, should there be a simplified administrative approval process (like bulk approvals etc.) for deployment? If yes, what should be the suggested process? If not, what should be the alternative approach?

Comments:

Small cells could follow bulk approval process with deemed approval if delayed beyond 30 days. Permission for approval to be made through centralised ROW portal.

Q.10: What power related problems are envisaged in deploying small cells on street furniture? Please provide full details.

Comments:

Obvious problem will be exclusive supply at locations where already a connection exists at a commercial rate or otherwise for billboards etc. Feasibility of installing power back up and mounting different physical dimensions of small cell equipment need to be surveyed by the operators well in advance of the deployment. Provision of two separate connections at the same address with separate meters.

Q.11: What viable solutions are suggested to address these problems? Please provide full details.

Comments:

Prepaid connection at utility rate could be explored. Certain uniform policy relating the commercials need to be uniformly followed by DISCOMS (private/Government) across the country. The objective is to avoid delay in providing electricity at non-commercial rates without any delay to small cells mounted in street furniture.

Q.12: Is there a need for standardizing the equipment or installation practices for next generation small cell deployment on street furniture? If yes, what are the suggested standards and what should be the institutional mechanisms for defining, and complying to them?

Comments:

Standardisation of equipment, installation practices, power requirements for small cell deployment on street furniture will be desirable for both the operators and approving authority. Standardized designs can help control administrative authorities to easily assess the suitability of street furniture from point of view of load/wind bearing capabilities, ground/other installation clearances and aesthetics. Institutional mechanism could be TSEC approval process to be carried out by the TEC.

Q.13: Is there a need for a specific mechanism for collaboration among local bodies /agencies for deployment of small cells and aerial fiber using street furniture? If yes, what mechanisms should be put in place for collaboration among various local bodies/agencies involved in the process of permissions with TSPs/IP1s and to deal with other aspects of Small Cell deployment?

Comments:

The existing LSA level broadband committee under NBM (national broadband mission) should ensure co-ordination/collaboration among local bodies and agencies. The agencies like airport, port trust, metro/railways could be co-opted as members. No need for any other mechanism. The committee need to be sensitive to the needs of 5G deployment in street furniture.

Approving authorities shall not unnecessarily delay or restrict the deployment of small cells. States to ensure that rules governing the approval, levy of charges, penalties etc are nationally consistent.

Q.14: Kindly suggest an enabling Framework that shall include suggestions about the role of various authorities, rules of coordination among them, compliance rules and responsibilities, approval process, levies of fees/penalties, access rules etc.

Comments:

The enabling framework shall comprise of the following:

a. *A proactive RoW policy with strict deemed approval clause.*
b. *Aligning the state policy with the national policy*
c. *Effective and result oriented LSA level broadband committee with monthly mandatory meeting for the resolution of all RoW issues.*

Q.15: How can sharing street furniture for small cell deployment be mandated or incentivized? What operational, regulatory, and licensing related issues are expected to be involved in sharing of small cells through various techniques in the Indian context and what are the suggested measures to deal with the same?

Comments:

Mandating of public infrastructure could be done through a national policy followed by a state policy in consistent with the national policy. States could incentivise the municipality and other controlling authorities by monitoring the pace of approval and the roll out of 5G services.

Operational issues could be electric connection for the street furniture sites following the existing policy of the DISCOMS. Some commercial policy changes are needed to facilitate electric connection to street furniture. Licensing/regulatory framework to ensure standardisation of the dimension of small cell equipment in

terms of power consumption, weight, backup etc for the authorities to examine structural suitability of the street furniture.

Q.16: Whether there should be any specific regulatory and legal framework to enable Small Cell and Aerial Cable deployment on i. Bus Shelters ii. Billboards iii. Electric/Smart Poles iv. Traffic lights v. Any other street furniture.

Comments:

Yes. Policy framework mandating small cell deployment in all types of street furniture is a must. A third-party agency could be deployed to examine the suitability of the above street furniture and their recommendation could be binding on the approving authority while issuing approval. The existing tower sharing practice followed by the operators in India can be adopted for street furniture usage as well to enable economies of scale and enhance affordability. The scope should include both active and passive infra sharing.

Policy should also earmark the permissible radiation from such poles and mechanism of ensuring the same.

There is also a need to standardise the various street furniture structures for usage in different types of street furniture.

Q.17: What should be the commercial arrangements between the TSP's/Infrastructure Providers and street furniture owners for the same.

Comments:

TSPs/IPs have to work out the same with street furniture owners and submit it to DoT to frame uniform policy across the country.