

Consultation Paper No.12/2016



Telecom Regulatory Authority of India



**Consultation Paper
on
Review of Voice Mail/Audiotex/Unified
Messaging Services Licence**

New Delhi

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Telecom Regulatory Authority of India
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Written Comments on the Consultation Paper are invited from the stakeholders by 11th July 2016 and counter-comments by 25th July 2016. Stakeholders are advised not to request for extension of dates for submission of comments/counter-comments. Comments and counter-comments will be posted on TRAI's website www.trai.gov.in. The comments/counter-comments may be sent, preferably in electronic form to Shri U. K. Srivastava, Pr. Advisor (Networks, Spectrum & Licensing), Telecom Regulatory Authority of India, on the e-mail: pradvnsl@trai.gov.in with a copy to rksingh@trai.gov.in. For any clarification/ information, Shri U. K. Srivastava, Pr. Advisor (NSL) may be contacted at Tel. No.: +91-11-23233291, Fax: +91-11-23230056.

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Chapter-I

Introduction

1.1 Telecom Regulatory Authority of India (TRAI) received a reference from the Department of Telecommunications (DoT) vide letter No. 846-53/2015-CS dated 19th January 2016 (**Annexure-I**) for review of terms and conditions for issue of licences for Voice Mail/Audiotex/Unified Messaging Services(UMS). The DoT stated in this letter that after considering the recommendations of TRAI for Unified Licences, the Government decided to grant Unified Licences for various services. However, Voice Mail/Audiotex/Unified Messaging Services (UMS) licences continue to be issued as per the guidelines existing prior to issue of UL guidelines. The DoT also stated that in view of changes in technology and the resultant new user applications and service delivery scenarios; there is a need to review the technical specifications, financial terms and conditions, scope and guidelines for services and the licence conditions. The DoT has sought the Authority's recommendations on the following issues related to Voice Mail/Audiotex/Unified Messaging Services licence :

- (i) Terms and conditions of issue of fresh licences and for migration of existing licences, if required, including issues such as Entry Fee, Percentage of Revenue to be shared with the licensor (including definition of revenue for the purpose), USO fund, technical specifications, financial terms and conditions, period of licence etc.
- (ii) Any other issue considered relevant.

1.2 The licences for Voice Mail/Audiotex Services were initially issued in the year 1996 by the DoT for different cities on first come first served basis. The period of these licences was five years extendable by one year at a time beyond the initial licence period. In the year 2000, the DoT sent a

reference to TRAI on various licensing issues related to Voice Mail/Audiotex Services. In response, TRAI sent its recommendations dated 29th December 2000. Pursuant to the announcement of New Telecom Policy, 1999 (NTP-99) and on the basis of TRAI's recommendations dated 29th December 2000, the guidelines for Voice Mail/Audiotex/Unified Messaging Services were issued by the DoT on 16th July 2001. The application format and licence agreement were also approved by the DoT in the year 2001.

- 1.3 As per the licence agreement document (Part IV: TECHNICAL CONDITIONS) for Voice Mail/Audiotex/Unified Messaging Services, the technology for Voice Mail/Audiotex/Unified Messaging Services shall be based on standards issued by the Telecommunication Engineering Centre. The following TEC specifications are referred to in the licence agreement as per the clauses reproduced below:

“19.2 TEC specification number V/VMS-01/02.September, 1994 defines the parameter of the Voice Mail Service, scope of service, its key element, its interface specification, service description and quality of service to be provided by the LICENSEE.

19.3 TEC specification V/ATS.01/01.September, 1994 defines the parameters of Audiotex Service, scope of service, its key element, service description and quality of service to be provided by the LICENSEE.

19.4 TEC specification No. GR/UMS-01/01.AUG 2000 defines the parameters of Unified Messaging Service, scope of service, its key element, service description and quality of service to be provided by the LICENSEE.”

These TEC specifications related to Voice Mail Service, Audiotex Service and Unified Messaging Service were sought from the DoT and were subsequently provided to TRAI vide DoT letter dated 23.02.2016.

- 1.4 The TEC specification V/VMS-01/02.September, 1994 defines Voice Mail Service as one which *“enables the subscriber to send a message to one or more recipients and to receive messages via a telecommunication network using a combination of store and forward, and store and retrieve techniques. The service will be especially useful for the subscribers who are constantly on the move or who do not have a telephone of their own. A voice mail service (VMS) subscriber has a voice mail number and a mail box. Any person can leave his message in the mail box of a VMS subscriber by dialing the mailbox number from where it can be retrieved at the convenience of the VMS subscriber.”*
- 1.5 The TEC specification V/ATS.01/01.September, 1994 defines Audiotex Service as *“either a passive or an interactive service which provides through appropriate access by standardised procedure for users of Audiotex service to communicate with databases via telecom network. A subscriber can retrieve the information at any time by interacting with the Audio Service Equipment by using the existing telephone line. “*
- 1.6 The TEC specification GR/UMS-01/01.AUG 2000 defines the objective of Unified Messaging Service as *“to allow subscribers to send, retrieve and manage messages in a uniform way, regardless of whether the message is a voicemail, a fax mail or an e-mail. In addition it shall be possible to manage the messages from various terminal types including phones, web browsers, standard e-mail clients and WAP terminals.”*
- 1.7 After considering the recommendations of TRAI for Unified Licences, the Government decided to grant Unified Licence (UL) for various services in the year 2013. The guidelines for grant of Unified Licence were issued by

DoT on 19th August 2013. As per these guidelines, the existing licensees were given the option to migrate to the Unified Licensing Regime. However, since Voice Mail/Audiotex/Unified Messaging Services licence authorisation was not included in the Unified Licence, these licences continued to be issued as per the guidelines existing prior to issue of UL guidelines. Presently, as per the information available on the DoT website (as on 31.03.2016) there are 60 operative licences in 11 cities held by 30 companies.

- 1.8 With a view to bring out all the aspects of the relevant issues and to provide a suitable platform for discussion, TRAI has initiated this consultation paper on the basis of the reference dated 19th January 2016 received from the DoT. The purpose of this consultation paper is to review the existing terms and conditions of the Voice Mail/Audiotex/Unified Messaging Services licence and to recommend to the DoT the terms and conditions of issue of fresh licences and for migration of existing licences, if required, including issues such as Entry Fee, Percentage of Revenue to be shared with the licensor (including definition of revenue for the purpose), USO fund, technical specifications, financial terms and conditions, period of licence etc.
- 1.9 This consultation paper has been divided into three chapters. The first chapter gives an introduction to the issue at hand. The second chapter gives an analysis of the various issues related to the review of Voice Mail/Audiotex/Unified Messaging Services licence for framing recommendations through a consultative process with the stakeholders. The third chapter summarises all the issues for consultation.

Chapter-II

Analysis of Issues

A. Background of the existing licensing framework

2.1 In the year 1996, the DoT initially granted the licences for Voice Mail/Audiotex Services for cities on first come first served basis. The period of these licences was five years. These licences were issued for a particular city without any limit on the number of operators as well as the number of licences that can be issued to any operator. These existing licences were extendable by one year at a time beyond the initial licence period, at the discretion of the Telecom Authority. The licensees were required to pay licence fee as indicated below:

For Delhi - Rs. 15 lakhs

For Mumbai - Rs. 15 lakhs

For Calcutta - Rs. 10 lakhs

For Chennai - Rs. 10 lakhs

For other cities - Rs. 5 lakhs

2.2 TRAI received a reference from DoT vide letter No. 311-79/99-VAS dated 7.8.2000, on the following licensing issues relating to Voice Mail/Audiotex Services:

- (i) the basis for determining the Entry Fee;
- (ii) the percentage of revenue to be shared with the licensor (including definition of revenue for the purpose);
- (iii) the timing and basis of selection of additional operators, etc., keeping in view the extended period (20 years) of licence in respect of the existing licensees;

- (iv) the terms and conditions of fresh licences to VMS throughout the country; and
- (v) any other issues considered relevant by TRAI.

2.3 The Authority took note of the existing conditions for the grant of Voice Mail/Audiotex Services licence and gave its recommendations on 29th December 2000. In its recommendations dated 29th December 2000 on “Licensing Issues relating to Voice Mail and Audiotex Service” the Authority observed that:

“The Voicemail/ Audiotex service provider was essentially a Content Provider. He depends upon the public carrier such as PSTN, PLMN etc. for subscribers to reach his server. The Voice Mail service enables the subscribers to record their messages in a computer memory area called a ‘Mail Box’. His recorded message can be retrieved by the recipient by dialing a telephone number. Audiotex is a generic term for interactive voice response equipment and services. Audiotex to a telephone instrument is what data processing is to a data terminal.”

2.4 In the said recommendations, the Authority further observed that:

“It is seen from the descriptions that both the services are essentially Content Services and not a Carriage Service. Voice Mail and ‘On line data base interactive services’ on the Internet platform are both identical Content Services being provided through a website which is a computer connected to the network. Govt. has already issued liberal guidelines for the Internet. As per the internet policy, pure Content Services are not to be licensed at all. The Authority is of the view that for all kinds of content services i.e., whether they are provided on the Internet or other Public Network platforms such as PSTN/PLMN etc., identical policy should be followed.”

2.5 The recommendations of the Authority dated 29th December 2000 were:

“1. Basis for determining entry fee:

The Authority recommends that no entry fees should be charged. However, performance bank guarantee of Rs. 3 lakhs on the lines of Category ‘C’ ISP licences should be obtained.

2. Percentage of revenue to be shared with the Licensor:

No Revenue sharing for Content Services is being recommended as the revenue share should be charged only from telecommunication carriage service providers or network operators and not from content application service providers such as Voice Mail/ Audiotex.

3. Timing and basis of selection of the addl. operators keeping in view the extended period.

The existing practice of unlimited number of Voice Mail/ Audiotex Operators in a service area should be continued in i.e. during the extended period also. The economic reason for limiting the number of carriers has been the characteristics of ‘natural monopoly’ enjoyed by certain telecom carriage services involving a high capital cost for building infrastructure over wide geographical areas and the need to avoid duplication of costly infrastructure and also for better utilization of scarce resource such as frequency spectrum, right of the way etc. Since no such constraint is applicable to Voice Mail/ Audiotex Service, which is a content service provided by Servers or especially programmed computers, placed at the edge of a public networks such as PSTN, PLMN, Internet etc., no limit on the number of Service Providers should be imposed. This is in consonance with the Govt. policy in regard to Internet content service providers. The Authority sees no reason to deviate from this policy, which has been well

received by investors both domestic and foreign, and has increased competition.

4. Terms and conditions of fresh licences.

The present licences have been issued based on city Municipal limits which were the local areas a few years back. Since the scope of the local area has been enlarged to cover the Short Distance Charging Area SDCA, the Authority would like to recommend that the Content Service Providers i.e. VMS/ Audiotex, should be given licences to cover the Short Distance Charging Area (SDCA) on the basis of local dialing i.e. local call rates as far as charges for accessing the Mail Box is concerned. However, there should be no bar on accessing these Services on STD call basis. The Authority would not like to regulate other charges such as activation charges, monthly subscription fees, choice of Mail Box number, reconnection/restoration charges, transfer to multiple Mail Boxes etc for the service. Licences shall be granted for a period of 15 years with provision for extending the same for another five years. The existing licensees should also be allowed the same licensing period. The Authority recommends that the existing Voice Mail operators should be allowed to migrate to the new licensing regime w.e.f. 1-4-2001. The other conditions such as provision of access lines to the public network such as PSTN, PLMN as well as leased lines, the terms and conditions should be identical to those for the Internet. Tariff forbearance will be applicable on the lines of Internet Policy subject to TRAI review from time to time, to safeguard customers' interest."

2.6 Pursuant to the announcement of New Telecom Policy, 1999(NTP-99) and on the basis of TRAI's recommendations dated 29th December 2000, the guidelines in respect of Voice Mail/Audiotex/Unified Messaging Services were issued vide DoT letter No. 846-53/2000-VAS dated 16th July 2001.

It may be noted that Unified Messaging Service was not a part of the reference sent to TRAI vide DoT letter No. 311-79/99-VAS dated 7th August 2000. The application format for Voice Mail/Audiotex/Unified Messaging Services and licence agreement were also approved in 2001 by the DoT. These guidelines were only for the purpose of general information without any legally binding commitment (as mentioned in the guidelines). The salient points covered in the guidelines are as follows:

1. The licence for operation of Voice Mail/Audiotex/Unified Messaging Service in India shall be issued on non-exclusive basis.
2. The Proposal seeking Voice Mail/Audiotex/Unified Messaging Services licence is to be submitted along-with a demand draft of Rs. twenty thousand as a processing fee (non-refundable).
3. The service area for the licence shall be Short Distance Charging Area (SDCA) on the basis of local dialing. From outside the SDCA, the service will be allowed to be accessed on STD call basis. The service provider would install his equipment within the SDCA for which licence is obtained.
4. For Unified Messaging Service, transport of Voice Mail Messages to other locations and subsequent retrieval by the subscriber must be on a non-real time basis. To ensure this licensee shall ensure that there is no dialing out for delivery of the message to the recipient.
5. For providing UMS under the licence, in addition to the licence for Voice Mail/Audiotex/UMS, the licensee must also have an ISP licence. The ISP licence as well as Voice Mail/Audiotex/UMS licence should be for the areas proposed to be covered by UMS service.

6. There will be no Entry Fee as well as licence fee. Performance Bank Guarantee of Rs. three lakhs for each licence shall be required. However, the licensee shall be required to pay levy towards Universal Service Obligations (USO) from the date of licence as per the terms and conditions decided by the Government on the recommendations of TRAI.
7. The Applicant should be an Indian company, registered under the Indian Companies Act'1956. With regard to foreign investment, 100% foreign direct investment (FDI) shall be allowed, subject to fulfillment of other rules and conditions of the Government on FDI.
8. The period of licence shall be 15 years, with the provision for extending the same for another 5 years. The existing licensees shall also be allowed the same licensing period.
9. The existing Voice Mail/Audiotex Service Licensees are allowed to migrate to the new licensing regime w. e. f. 1.4.2001.
10. New Telecom Policy-1999 (NTP-99) has defined Cellular Mobile Telephone Service Providers, Fixed Service Providers, Cable Service Providers as Access Providers. Voice Mail/Audiotex/Unified Messaging Service can be provided as a Value Added Service by these service providers over their network. Therefore, such Access Services Providers may provide Voice Mail/Audiotex/Unified Messaging Service to the subscribers falling within their service area on non-discriminatory basis; an intimation before providing any such Value Added Service may be sent to the Licensing Authority. No separate licence fee shall be charged for Voice Mail/Audiotex/Unified Messaging Service to be provided by the Access Service Operators. However, the revenue earned by these operators through this Service, if any, shall be counted towards the

revenue for the purpose of paying licence fee under the Licence granted to them.

11. Licensee shall make its own arrangements for all infrastructure involved in providing the service and shall be solely responsible for installation and operation of necessary equipment and systems, treatment of subscriber complaints, issue of bills to its subscribers, collection of revenue, attending to claims and damages arising out of their operations.
12. The Voice Mail/Audiotex/Unified Messaging Services licensee shall operate and maintain the licensed Network conforming to Quality of Service standards to be mutually agreed between the service providers subject to such other directions as the competent authority may give from time to time.
13. The licensee will not assign or transfer its rights in any manner whatsoever under the licence to a third party or enter into any agreement for sub-licence and/or partnership relating to any subject matter of the licence to any third party either in whole or in part i.e. no sub-licensing /partnership/third party interest shall be created.
14. The Licensee shall not normally employ bulk encryption equipment in its network. However, if any encryption equipment is used and connected to the Licensee's network, then it should have prior evaluation and written approval of the Government.
15. All foreign personnel likely to be deployed by the licensee for installation, operation and maintenance of the licensee's network shall be security cleared by the Government of India prior to their deployment. The security clearance will be obtained from the Ministry of Home Affairs, Government of India. The licensee shall

ensure protection of privacy of communication and ensure that unauthorized interception of messages does not take place.

2.7 Subsequently, amendment to the Voice Mail/Audiotex/Unified Messaging Services Licence was issued vide letter No. 846-38/96-VAS(Vol.II/80 dated 26.08.2004. The following clauses were amended/added.

CLAUSE NUMBER	EXISTING CLAUSE	AMENDED CLAUSE
22.1	<p>The resources required for the operation of the services and for extending them over the network of the BSNL/MTNL/Other Licensed Telecom Service Providers will be mutually agreed upon between the parties. The resources may include but are not limited to – physical junctions, PCM derive channels, private wires, leased lines, data circuits and other communications elements etc. The LICENSEE may apply for and obtain from the BSNL/MTNL/Other Licensed Telecom Service Providers the desired resources.</p> <p>The operation and tariff for the traffic passed through these resources as well as provision of these resources shall be governed by the prevailing rules regulations of LICENSOR/TRAI.</p>	<p>The resources required for the operation of the services and for extending them over the network of the BSNL/MTNL/Other Licensed Telecom Service Providers will be mutually agreed upon between the parties. The resources may include but are not limited to – physical junctions, PCM derive channels, private wires, leased lines, data circuits and other communications elements etc. The LICENSEE may apply for and obtain from the BSNL/MTNL/Other Licensed Telecom Service Providers the desired resources. The operation and tariff for the traffic passed through these resources as well as provision of these resources shall be governed by the prevailing rules and In case Voice Mail/Audiotex service licensee takes resources for the operation of the services from more than one telecom service provider, the dial out facility will not be permitted.</p> <p>In case the resources are taken by the Voice Mail/Audiotex service licensee from only one service provider the dial out facility will be permissible. However, for UMS licensee the dial out facility shall not be permitted.</p>
27.3	--	<p>Voice Mail/Audiotex licensee shall provide a watchdog terminal with access limited to unfiltered CDR file to the licensor/designated monitoring agencies.</p>

27.4	--	The Voice Mail/Audiotex service provider shall make available all detailed information about the conference calls e.g. the parties in conference, date, time, duration of the conference etc., on demand, to licensing authority. The list of registered subscribers of Audiotex service providers shall also be given, on demand, to licensing authority. The information shall be stored for at least two years period.
30.6	--	Point to point conferencing and calling card facility shall not be provided by Voice Mail/Audiotex licensees.
30.7	--	Dial out facility shall not be used in whatsoever manner for any illegal by pass of STD/ISD traffic of any licensed access service providers. Voice Mail/Audiotex licensee shall have to give undertaking in this regard.

So, by this amendment, dial out facility was allowed for Voice Mail/Audiotex services, provided that the resources are taken from one service provider with the prohibition of not using this facility for illegal bypass of STD/ISD traffic of any licensed access service provider. It also mandated the preservation of call detail records for conference calls and prohibited point to point conferencing.

2.8 The very nature of the service permitted was modified by the amendment made in the licence agreement. The TEC specification V/ATS.01/01.September, 1994 is referred to in the Part IV of the existing licence agreement document (TECHNICAL CONDITIONS). It defines the parameter of the Audiotex Service, scope of service, its key element, service description and quality of service to be provided by a licensee. In this TEC specification, there is a provision of optional additional facilities in the service description which includes: “*conferencing (enabling two or more callers to speak to each other, or to listen to others speaking)*”. Audio Conferencing Service is globally a well-established service which is provided using the PSTN resources from the licensed Service Providers and the Audio Conferencing Bridging equipment. A brief note on the

Global Licensing Practices for Audio Conferencing Service is attached as **Annexure-II.**

2.9 Another amendment was made in the Voice Mail/Audiotex/Unified Messaging Services licence agreement by the DoT vide letter No. 846-110/2013-CS-I dated 06.12.2013 to incorporate changes in FDI conditions as follows:

“FDI upto 100% with 49% under automatic route and beyond 49% through FIPB route subject to observance of licensing and security conditions by licensee as well as investors as notified by the DoT from time to time.

- (i) Both direct and indirect foreign investment in the Licensee Company shall be counted for the purpose of calculating FDI.*
- (ii) The licensee Company/Indian Promoters/Investment Companies including their holding companies shall comply relevant provisions of extant FDI policy of the Government. While approving the investment proposals, FIPB may take into account security concerns.*
- (iii) FDI shall be subject to laws of India and not the laws of the foreign country/countries.”*

B. Description of Voice Mail Service

2.10 The fundamental ability of the Voice Mail Service is to provide public interface between originator and recipients of voice communications, especially where there is no immediate or convenient direct telecommunication service available between subscribers' equipments. It is a non-real time communication service.

ITU defines “voice-mail system” in its recommendation F.472 (08/97) on “Service and operational requirements of the voice mail store and forward service” as *“The system used to collect/deliver voice messages from/to direct users and subscribers. The voice-mail system may be associated*

with a Voice Store and Forward unit. This system consumes the services supplied by its Voice SFU and consumed by its users.”

2.11 European Telecommunications Standards Institute in its ETSI technical report 131(June 1994) on “Terminal Equipment(TE); An investigation into the need for standardization in the area of stored voice services” defines ‘Voice Mail’ as *“voice messages that are created by accessing a voice messaging system for delivery to one or more subscribers. Premeditated, non-real time communication using Voice Mail system technology”*. It defines ‘Voice message delivery’ as *“the facility of a voice messaging system to call a phone number for delivering a voice message to a recipient. This may be to a Voice Mail subscriber for delivery of new or urgent messages, or to a non-subscriber who is receiving a voice message addressed with a telephone number. Delivery may be contingent on password entry.”*

2.12 The service description of the Voice Mail Services given in the TEC specification V/VMS-01/02.SEP 94, referred in the existing licence agreement document is as follows:

“7.1 General

The fundamental ability of the Voice Mail Service is to provide a public interface between originator and recipients of voice communications, especially where there is no immediate or convenient direct telecommunication service available between subscribers’ equipment.

Each VMS subscriber shall be associated with:

- (a) Name*
- (b) Unrestricted mail box number or restricted mail box number with password.*
- (c) Maximum number of messages that can be stored in mail box.*
- (d) Maximum length of messages.*
- (e) Personal identification number to retrieve messages.*

7.2 *The access to VMS shall be available from standard telephone instrument. Special, features such as password for restricted access, personal identification number (PIN) for message retrieval and other optional features shall be possible only through Dual Tone Multi-frequency (DTMF)/Tone Pulse Switchable (TPS) instruments.*

7.3 *Access Facilities*

Voice mail system shall be connected to the Public Switched Telephone Network by junctions. The user dials an access code followed by Mail Box Number of the subscriber for storing the message or own VMS box number to retrieve message. The system responds with "Identification Number", to which caller responds by dialing a Personal Identification Number for listening to messages or waits for prompt to store messages. Alternatively, if the voice box access is programmed to receive messages from a restricted group of callers then it responds with password. The caller is required to dial a password at the end of which VMS again responds with valid prompts to accept messages. VMS, if necessary, may respond the user with brief recorded instructions.

7.4 *VMS subscriber/user with DTMF/TPS instrument or DTMF keypad shall be able to use other user friendly functions viz:*

- 1. Stop recording*
- 2. Continue recording*
- 3. Redirect*
- 4. Suitable provision for programmable group messaging*
- 5. Check messages*
- 6. Identify time and sender*
- 7. Repeat*
- 8. Pause and Continue*
- 9. Skip and forward*
- 10. Save*
- 11. Replay*
- 12. Deletion"*

2.13 Voice Mail Service (VMS) is a pre CLI/SMS/Smartphone era service which allowed the caller to leave his name, telephone number and message on Voice Mail Server or storage device in case real time communication was not possible. But presently with CLI and Missed Call Alerts in mobile phones the recipient can recognise the caller. Also a caller can leave a SMS/e-mail or OTT messaging service message explaining the reason he was trying to call in case of a missed call. As on 31.03.2016 the Indian telecom network has an overall teledensity of 83.36 % and has 149.75 million Broadband subscribers. The number of wireless subscribers (1033.63 million) is very large in comparison to wireline subscribers (25.22 million). Voice Mail Services are being provided by the wireless access service providers and several OTT applications can also provide similar type of service. Some features of Voice Mail can also be provided by landline telephones and mobile handsets having advanced features.

C. Description of Audiotex Service

2.14 Audiotex is either a passive or interactive service which provides through appropriate access by standardized procedure for users of to communicate with databases through telecom network. The Infocomm Development Authority of Singapore in its “Telecommunications (Class Licences) Regulations (2002)” defines Audiotex services as “*telecommunication systems and services which enable a caller, by dialling a designated telephone number beginning with “1900”, to receive a recorded announcement or to interact with a programme whereby he may communicate, by means of a dual-tone multi-frequency telephone key pad, a touch-tone telephone or other similar device, with a value-added network connected to the public switched telephone system for the purposes of sending or receiving information.*”

2.15 However, there are differing views across the world on what constitutes “Audiotex service”. European Telecommunications Standards Institute in its ETSI technical report 131 (June 1994) on “Terminal Equipment(TE); An investigation into the need for standardization in the area of stored voice services” has commented that “ *It can be seen that there are many differing views as to what constitutes an Audiotex service and, in formal usage (e.g. in lectures or articles on the subject), a distinction is always drawn between voice messaging and the other services (information, consultation, transaction, etc.). It is thus misleading to use the word Audiotex without a previous definition. The opinion given in this ETR is that it is better not to use it at all in view of the confusion surrounding its use. It is clear that all of the services being reviewed are voice services in the broadest sense although they may not all be network services. Furthermore, all of the services utilise some sort of voice storage. Therefore, the term "stored voice services" is used in this ETR to describe the whole body of such services, and each separate application or service is distinguished by a more precise definition (e.g. information, consultation, transaction, etc.).*” Therefore, to avoid confusion in the description and specification of stored voice services, ETSI further recommended that:

“The use of the term stored voice services should be encouraged and the term Audiotex be deprecated in the field of standardization.”

2.16 The service description of the Audiotex Service as given in the TEC specification V/ATS-01/01.SEP94, referred to in the existing licence agreement document is as follows:

“8.1 Audiotex service involves the automatic answering of calls and the subsequent provision of audio information to the callers. Audiotex service can be either passive – where the caller simply listens to a fixed service format or can be interactive where the caller can choose various information by interacting with the database computer via

telecom network. A subscriber can retrieve the information at any time by interacting with the main data base computer by using the existing telephone line. However, for any interaction with the computer DTMF telephone instrument is required.

Information provided through audiotex computer has variety of fields such as financial information, entertainment, sports information, health information, travel information etc.

8.2 *The Audiotex service accessibility shall be provided through IN (Identification No.) or password allotted by the licensee to his subscribers. However, for free service no identification number is required.*

8.3 *Caller Interaction*

The Audiotex equipment shall provide a range of interactive facilities to enable callers to respond to audio prompts within the service. The minimum facilities shall include DTMF detection (detecting the DTMF keys on the caller's phone).

8.4 *Optional additional facilities shall include :*

- i) Voice detection (detecting whether or not the caller is speaking).*
- ii) Voice Interrupt (detecting that the caller is speaking whilst the service is playing the caller audio).*
- iii) Conferencing (enabling two or more callers to speak to each other, or to listen to others speaking).*
- iv) Fax on demand (enabling a caller to get information from the Audiotex equipment on fax machine).*
- v) Access to multiple sessions in the same call should be possible.*
- vi) Voice Mail Service facility, if provided, should conform to TEC Spec No. V/VMS-01/02.SEPT94.*

8.5 *Live Audio Feed*

The Audiotex equipment may provide facilities for multiple live audio feeds to be distributed across the system and to be accessible to callers. (e.g. live sports commentary)."

2.17 In the DoT guidelines dated 16th July 2001 for the issue of licence for Voice Mail/Audiotex/Unified Messaging Services there is a clause(reproduced below) which states that there is no need for obtaining any licence for provision of only Audiotex services by Service agencies.

" 25. Provision of only Audiotex Service or services through Interactive Voice Response System (IVRS):- The Governmental or Private Service Agencies, offering Public utility services, such as Railways, Broadcasting, News & Media, Cooking Gas Agency or even Restaurants etc., are permitted to provide services such as Audiotex (providing information on automatic basis like News, Weather Forecast, Commentary, Railway/Air Timings etc.), Tele-marketing (receiving purchase orders automatically over phone or host-computer), Tele-complaint (Service Agency providing automatic booking of service complaints through IVRS system etc.) and Tele-Booking (agencies like Cooking Gas, Restaurants for booking of orders using IVRS or host-computer etc.), freely without need for obtaining any licence or taking any permission."

2.18 In the licence agreement document (Part IV: TECHNICAL CONDITIONS), it is mentioned that the technology for Voice Mail/Audiotex/Unified Messaging Services shall be based on standards issued by TEC. The TEC specification V/ATS-01/01.September, 1994 is referred which defines the parameters of the Audiotex Service, scope of service, its key element, service description and quality of service to be provided by a licensee. In this TEC specification there is a provision of optional additional facilities

in the service description which includes: “*conferencing (enabling two or more callers to speak to each other, or to listen to others speaking)*”.

The clauses 27.3 and 27.4 of the amended Voice Mail/Audiotex/Unified Messaging Services licence say:

“27.3: Voice Mail/Audiotex licensee shall provide a watchdog terminal with access limited to unfiltered CDR file to the licensor/designated monitoring agencies.

27.4: The Voice Mail/Audiotex service provider shall make available all detailed information about the conference calls e.g. the parties in conference, date, time, duration of the conference etc., on demand, to licensing authority. The list of registered subscribers of Audiotex service providers shall also be given, on demand, to licensing authority. The information shall be stored for at least two years period.”

The prohibitory clauses 30.6 and 30.7 of the amended Voice Mail/Audiotex/Unified Messaging Services licence say:

“30.6: Point to point conferencing and calling card facility shall not be provided by Voice Mail/Audiotex licensees.

30.7: Dial out facility shall not be used in whatsoever manner for any illegal by pass of STD/ISD traffic of any licenced access service providers. Voice Mail/Audiotex licensee shall have to give undertaking in this regard.”

Taking a holistic view of the present licence with all its amendments and guidelines it is apparent that multi-party conferencing is allowed with the prohibition of point to point conferencing and illegal bypass of STD/ISD traffic of licensed access service providers. However, the licence

agreement does not refer explicitly to any Audio Conferencing related standards document of TEC or any other standardisation body.

2.19 The Basic Service licensee, UASL licensee and UL licensee with Access Service authorisation are also allowed to provide Voice Mail/Audiotex Services. The revenue earned through Voice Mail/Audiotex Services is also counted towards revenue for the purpose of licence fee in case of Basic Service Licence, UAS Licence and UL whereas; there is no licence fee in case of Voice Mail/Audiotex/Unified Messaging Services Licence.

Issues for Consultation

- Q1. In view of the discussion in Para 2.13, is it necessary to have a separate standalone licence for Voice Mail Service? If so, why? Please provide detailed justification?**
- Q2. If the answer to the Q1 is in the affirmative, whether the existing technical specifications need to be revised or redefined? What should be the revised technical specifications?**
- Q3. In view of Para 2.17 and present technological developments, is it necessary to have a separate standalone licence for only Audiotex Service? If so, why? Please provide detailed justification?**
- Q4. If the answer to the Q3 is in the affirmative, whether the existing technical specifications need to be revised or redefined? What should be the revised technical specifications?**
- Q5. Whether there is a need for standalone licence for providing Audio Conferencing Service? If yes, whether the technical specifications need to be explicitly defined? Please provide detailed justification?**
- Q6. If the answer to the Q5 is in the affirmative, what should be the technical specifications for providing Audio Conferencing Service?**

D. Description of Unified Messaging Service

2.20 A Unified Messaging System (UMS) is primarily concerned with the unification of messaging over disparate messaging systems. It is concerned with both incoming and outgoing messages and with the management of stored messages. One broad definition for a UMS might be a system for sending, receiving and managing messages, which supports multiple media types and provides access to any message from any device.

2.21 The objectives of the Unified Messaging Service as given in the TEC GR No. GR/UMS-01/01.Aug 2000 is as follows:

“2.1 Objectives

2.1.1 The objective of UMS is to allow subscribers to send, retrieve and manage messages in a uniform way, regardless of whether the message is a voice mail, a fax mail or an e-mail. In addition it shall be possible to manage the messages from various terminal types including phones, web browsers, standard e-mail clients and WAP terminals.

2.1.2 The objective of UMS is also to enhance call completion for both fixed and mobile networks, meeting efficiently the increased network traffic. Call completion gets enhanced especially for calls that would otherwise be lost because of subscriber being busy or “no answer”.

2.1.3 Each UMS subscriber is assigned a Unified Message Mailbox number and e-mail address.

2.1.4 Unified Message Mailbox shall be accessed either by invoking call forwarding feature or by directly dialing the Unified Message Mailbox number. It shall also be accessed from web browsers, standard e-mail clients and WAP terminals.

2.1.5 The equipment shall support the following messages

- (i) *Speech messages*
- (ii) *Fax messages*
- (iii) *Short messages for mobile services*
- (iv) *E-mail”*

2.22 As per the clause 7.4 (Part I: General Conditions) of the Voice Mail/Audiotex/Unified Messaging Services Licence; for providing UMS under the licence, in addition to the licence for Voice Mail/Audiotex/Unified Messaging Services, the licensee must also have an ISP licence. The ISP licence as well as Voice Mail/Audiotex/Unified Messaging Services Licence should be for the areas proposed to be covered by Unified Messaging Service. On the other hand, Unified Licensee with Internet Service authorisation is allowed to provide Unified Messaging Service. In the list of Voice Mail/Audiotex/UMS licensees available on the DoT website (as on 31.03.2016), only 2 out of 60 operative licensees have opted for Unified Messaging Service.

Issues for Consultation

Q7. Is it necessary to have a separate licence for Unified Messaging Service when holding an ISP licence is mandatory to provide the Unified Messaging Service and standalone ISP licensee is also allowed to provide Unified Messaging Service? If so, why? Please provide detailed justification?

Q8. If the answer to the Q7 is in the affirmative, whether the existing technical specifications need to be revised or redefined? What should be the revised technical specifications?

E. Existing licensing framework for Voice Mail/Audiotex/Unified Messaging Services

2.23 The Voice Mail/Audiotex/Unified Messaging Services Licence agreement gives the complete terms and conditions for providing these services.

However, there is no mention of terms and conditions applicable for provision of Voice Mail and Audiotex Services under the Basic Service Licence or Unified Access Services Licence or UL licensee with Access Service authorisation. The guidelines for issue of licence for Voice Mail/Audiotex/Unified Messaging Services dated 16th July 2001 may not be legally enforceable on the service providers providing these services under Basic Service Licence, Unified Access Service Licence or UL. As stated in the guidelines dated 16th July 2001 these guidelines are only for general information and do not constitute any legally binding commitment. Some amendments to Voice Mail/Audiotex/Unified Messaging Services licence agreements issued on 26.08.2004 may also not be legally enforceable on service providers having Basic Service Licence, Unified Access Services Licence or UL.

2.24 The service area for Voice Mail/Audiotex/Unified Messaging Services licensees are SDCAs (Short Distance Charging Areas). On the other hand the service areas for Basic Service licensees, UAS licensees and licensees with Access Service authorisation under Unified Licence are the Telecom Circles/Metro areas. Only the Category 'C' ISP licence authorisation under Unified Licence has the jurisdiction in a Secondary Switching Area.

2.25 After considering the recommendations of TRAI for Unified Licences, the Government decided to grant Unified Licence (UL). As per the UL guidelines issued on 19th August 2013 the basic features of UL are as follows:-

- (i) The allocation of spectrum is delinked from the licences and has to be obtained separately as per prescribed procedure.
- (ii) Applicant can apply for Unified Licence along with authorisation for any one or more services listed below:
 - (a) Unified Licence (All Services)

- (b) Access Service (Service Area-wise)
- (c) Internet Service (Category-A with All India jurisdiction)
- (d) Internet Service (Category-B with jurisdiction in a Service Area)
- (e) Internet Service (Category-C with jurisdiction in a Secondary Switching Area)
- (f) National Long Distance (NLD) Service
- (g) International Long Distance (ILD) Service
- (h) Global Mobile Personal Communication by Satellite (GMPCS) Service
- (i) Public Mobile Radio Trunking Service (PMRTS)Service
- (j) Very Small Aperture Terminal (VSAT) Closed User Group (CUG) Service
- (k) INSAT MSS-Reporting (MSS-R) Service.
- (l) Resale of International Private Leased Circuit (IPLC) Service

Authorisation for Unified Licence (All Services) would however cover all services listed at para (ii) (b) in all service areas, (ii) (c), (ii) (f) to (ii) (l) above.

2.26 The Voice Mail/Audiotex/Unified Messaging Services can be provided with Access Service authorisation under Unified Licence. The relevant Clause 2.1a(vi) of Chapter VIII is reproduced below:

“The Licensee may also provide Voice Mail/Audiotex/Unified Messaging Services, Video Conferencing over its network to the subscribers falling within its SERVICE AREA on non-discriminatory basis. All the revenue earned by the Licensee through these services shall be counted towards the revenue for the purpose of paying Licence Fee under the LICENCE AGREEMENT.”

Again, Unified Messaging Service can be provided with Internet Service authorisation under Unified Licence.

The service areas for Access Service authorisation are the Telecom Circles/Metro areas whereas the service areas for Internet Service are:

- (a) Category 'A'-geographical area of the country
- (b) Category 'B'-geographical area of a Telecom Circle/Metro
- (c) Category 'C'-geographical area of a Secondary Switching Area

Issues for Consultation

Q9. In case Voice Mail/Audiotex/Unified Messaging Service requires a licence should they be made a part of the Unified Licence as one of the services requiring authorisation? Please provide detailed justification?

Q10. If the answer to the Q9 is in the affirmative, what should be Service Area? Whether Service Area may be similar to the Service Area of ISP (National Area, Telecom Circle/Metro Area, Secondary Switching Area) to bring in uniformity among the Service Areas of different services? Please provide detailed justification?

F. Financial Terms and Conditions of the Licence

2.27 As per the licence agreement for Voice Mail/Audiotex/Unified Messaging Services, there is no provision of Entry Fee or Licence Fee. Only a Performance Bank guarantee of Rs 3 lakhs is required to be submitted to ensure compliance of licence conditions. The relevant clauses are reproduced below:

*“17.1 There will be no **Entry Fee** as well as **Licence Fee**. However, a Performance Bank Guarantee of Rs. 3 lakhs for each Licence shall be required.*

17.2 The LICENSEE shall be required to pay levy towards Universal Service Obligations (USO) as and when decided by the Government based on TRAI recommendations alongwith prescribed statements

.....

18. **BANK GUARANTEE:**

18.1 The LICENSEE company shall submit Performance Bank Guarantee (PBG) of Rs.3 lakhs in the prescribed proforma (proforma for PBG is annexed with Licence Agreement), before signing the Licence Agreement for ensuring full compliance of licence conditions. Initially, the PBGs valid for at least one year or beyond expected date of commissioning of the service, whichever is later and shall be renewed from time to time till the expiry of Licence as directed by the LICENSOR. The LICENSEE on its own shall extend the validity period of the bank guarantee for similar terms atleast one month prior to date of its expiry without any demand or notice from the LICENSOR on year to year basis. Any failure to do so, shall amount to violation of the terms of LICENCE and entitle the LICENSOR to encash the bank guarantee and to covert into a cash security without any reference to the LICENSEE and his risk and cost. No interest or compensation whatsoever shall be payable by the LICENSOR on such encashment.”

2.28 The salient points related to Entry Fee and annual licence fee covered in the broad guidelines issued on 19th August 2013 for grant of Unified Licence by the DoT are as follows:

- (i) A one-time non-refundable Entry Fee for authorisation of each Service and service area shall be payable before signing of licence agreement and thereafter for each additional authorization. The total amount of Entry Fee shall be subject to a maximum of Rs. 15 Crore (Rupees Fifteen crore only).
- (ii) In addition to the Entry Fee, an annual licence fee as a percentage of Adjusted Gross Revenue (AGR) shall be paid by the Licensee service-

area wise for each authorised service separately as per procedure prescribed in applicable Chapter of Unified Licence from the effective date of the respective authorisation. The Licence Fee is at present 8% of the AGR, inclusive of USO Levy which is presently 5% of AGR. Provided that from Second Year of the effective date of respective authorisation, the Licence Fee shall be subject to a minimum of 10% of the Entry Fee of the respective authorised service and service area.

2.29 The Gross Revenue and Adjusted Gross Revenue (AGR) for the purpose of calculation of Licence Fee for different services authorised under the Unified Licence are defined in the respective chapters of the service in PART-II of the Unified Licence. The annual licence fee for all the services under Unified Licence as well as for existing UASL/CMTS/Basic Service/NLD/ILD/ISP licences has been uniformly fixed at 8% of AGR since 1st April 2013. The definitions of ‘Gross Revenue’ and ‘Adjusted Gross Revenue’ for Access Service authorisation under Unified Licence are as follows:

“3.1 GROSS REVENUE

The Gross Revenue shall be inclusive of installation charges, late fees, sale proceeds of handsets (or any other terminal equipment etc.), revenue on account of interest, dividend, value added services, supplementary services, access or interconnection charges, roaming charges, revenue from permissible sharing of infrastructure and any other miscellaneous revenue, without any set-off for related item of expense, etc.

3.2 Adjusted Gross Revenue (AGR)

For the purpose of arriving at the “Adjusted Gross Revenue (AGR)”, following shall be excluded from the Gross Revenue to arrive at the AGR:

- (i) PSTN/PLMN/GMPCS related call charges (Access Charges) actually paid to other eligible/entitled telecommunication service providers within India;
- (ii) Roaming revenues actually passed on to other eligible/entitled telecommunication service providers and;
- (iii) Service Tax on provision of service and Sales Tax actually paid to the Government if gross revenue had included as component of Sales Tax and Service Tax.”

2.30 The details of Minimum required Equity, Minimum Net worth, Entry Fee, PBG, FBG and Application Processing Fee for various service authorisations under the Unified Licence are as follows:

Sl No.	Service	Minimum Equity (Rs. Cr.)	Minimum Net worth (Rs. Cr.)	Entry Fee (Rs. Cr.)	PBG (Rs. Cr.)	FBG (Rs. Cr.)	Application Processing Fee (Rs. Cr.)
1	UL(All services)	25.000	25.000	15.000	220.000	44.000	0.010
Service Authorisation wise requirements							
1	Access Service (Telecom Circle / Metro Area)	2.500	2.500	1.000 (0.5 for NE & J&K)	10.000	2.000	0.005
2	NLD (National Area)	2.500	2.500	2.500	2.500	5.000	0.005
3	ILD (National Area)	2.500	2.500	2.500	2.500	5.000	0.005
4	VSAT (National Area)	Nil	Nil	0.300	0.500	0.300	0.005
5	PMRTS (Telecom circle/Metro)	Nil	Nil	0.005	0.010	0.010	0.0015
6	GMPCS (National Area)	2.500	2.500	1.000	2.500	1.000	0.005
7	INSAT MSS-R (National Area)	Nil	Nil	0.300	0.020	0.020	0.005
8	ISP "A" (National Area)	Nil	Nil	0.300	2.000	0.100	0.005
9	ISP "B" (Telecom circle/Metro Area)	Nil	Nil	0.020	0.100	0.010	0.0015
10	ISP "C" (SSA)	Nil	Nil	0.002	0.005	0.001	0.001
11	Resale IPLC(National Area)	2.500	2.500	1.000	2.000	1.000	0.005

2.31 TRAI came out with its recommendations on “Definition of Revenue Base (AGR) for the Reckoning of Licence Fee and Spectrum Usage Charges” dated 6th January 2015. The salient features of the recommendations are as given below:

- (i) Licence Fee (LF) and Spectrum Usage Charges (SUC) should continue to be computed based on Adjusted Gross Revenue.
- (ii) Gross Revenue shall comprise revenue accruing to the licensed entity by way of all operations/activities and inclusive of all other revenue/income on account of interest, dividend, rent, profit on sale of fixed assets, miscellaneous income etc. without any set-off for related items of expense.
- (iii) The concept of Applicable Gross Revenue (ApGR) has been introduced. ApGR would be equal to total Gross Revenue of the licensee as reduced by:
 - (a) Revenue from operations other than telecom activities/operations as well as revenue from activities under a licence/permission issued by Ministry of Information and Broadcasting;
 - (b) Receipts from the USO Fund; and
 - (c) Items of ‘other income’ as listed in the ‘positive list’ (Table 2.1 of Recommendations).
- (iv) AGR then would be arrived by deducting pass through charges from ApGR. No change is recommended in the existing definition of pass through charges (i.e. deductions) under different licences to arrive at AGR for the computation of LF and SUC except the inclusion of access charges paid by TSPs providing international calling card services and toll-free charges.
- (v) SUC should be levied on AGR of respective telecom services which use access spectrum in operations or providing services.

- (vi) Share of USO levy in LF should be reduced from the present 5% to 3% of AGR for all licences with effect from 1st April 2015. With this reduction, the applicable uniform rate of licence fee would become 6% (from the present 8%) of AGR viz. the 3% of LF that directly accrues currently to the Government will not change.
- (vii) ISPs having AGR less than Rs. 5 crore in the year shall pay licence fee of Rs. 10 lakh or actual LF based on the applicable rate, whichever is less.
- (viii) Minimum presumptive AGR for the purpose of LF and SUC should not be made applicable to any licence(s) granted by Government for providing telecom services.

Issues for Consultation

- Q11. If Voice Mail/Audiotex/Unified Messaging Services is made a part of the Unified Licence as one of the services requiring authorisation, then what should be the Entry Fee?**
- Q12. Whether there should be any requirement for Minimum Net worth and Minimum Equity for Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**
- Q13. The annual licence fee for all the services under UL as well as for existing UASL/CMTS/Basic Service/NLD/ILD/ISP licensees have been uniformly fixed at 8% of AGR since 1st April 2013. Whether it should be made same for Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence? If not, why?**
- Q14. In case the answer to the Q13 is in the affirmative then what should be the definition of AGR for Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**

Q15. What should be Performance Bank Guarantee, Financial Bank Guarantee and Application Processing Fee for Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?

G. Migration of existing licensees

2.32 Some of the salient features in the procedure defined for migration of existing licensees to the Unified Licence Regime are as follows:

- (i) On migration, Unified Licence shall be for a period of 20 years from the effective date of UL, irrespective of the validity period of the Licence already held.
- (ii) Entry fee applicable to migration to Unified Licence shall be equal to entry fee for new Unified Licence except for Internet Service Provider with BWA spectrum. For migration of ISP with BWA spectrum to UL regime with authorisation of providing access services, which enables it to provide mobile voice services also using BWA spectrum, an additional fee equal to the difference between the entry fee for UASL as per details in the annexure (to the guidelines) and entry fee paid for ISP licence shall be payable in addition to the entry fee as applicable for new UL.

However, a rebate on pro-rata basis to the Telecom Service Provider in entry fee for migration to UL licence with respect to ILD/ NLD/ UL (AS)/ UASL/ CMTS licences only shall be given as per formulae below:

Sl. No.	Type of Existing License	Rebate
1.	ILD / NLD	Rs 12.5 lakh x No of years remaining for existing NLD/ ILD Licence validity.

2.	UL(AS)/UASL/CMTS in various service area	Rs 5 lakh for each service area except J&K and NE and Rs. 2.5 lakh J&K and NE service area x No of years remaining for existing UL(AS)/UASL/CMTS Licence validity subject to maximum limit of Rs. 15 crore.
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(iii) In respect of other licensees who may opt to migrate to Unified Licence, pro-rata rebate to the Telecom Service Provider may be given on the Entry Fee paid, if any, by them for obtaining their respective Licences based on the balance number of years (Part of year shall not be counted). However, no Entry Fee refund shall be made by the Licensor.

(iv) After migration, the terms and conditions of Unified Licence shall be applicable, however, Roll out obligation and any other relevant liabilities including financial dues and treatment of violations and imposition of penalty thereof, if any, associated with the existing Licences/spectrum shall remain applicable under the terms of existing licence even after migration to Unified Licence.

2.33 The existing licensees for Voice Mail/Audiotex/Unified Messaging Services have not paid any entry fee and are not paying any licence fee as well. The period of the Voice Mail/Audiotex/Unified Messaging Services licence is 15 years, with the provision for extending the same for another 5 years.

Issues for Consultation

Q16. Whether the duration of the licence with Voice Mail/Audiotex/Unified Messaging Services authorisation be made 20 years as in the other licence authorisations under Unified Licence? If not, why?

- Q17. What should be the terms and conditions for the migration of the existing Voice Mail/Audiotex/Unified Messaging Services licensees to Unified Licence?**
- Q18. Whether the existing Voice Mail/Audiotex/Unified Messaging Services licensees may be allowed to continue or it would be mandatory to migrate to the Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**
- Q19. What should be the annual licence fee for existing Voice Mail/Audiotex/Unified Messaging Services licensees who do not migrate to the Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**
- Q20. Please give your comments on any related matter, not covered above.**

Chapter-III

Issues for Consultation

It may please be noted that answers/comments to the issues given below should be provided with appropriate justification.

- Q1. In view of the discussion in Para 2.13, is it necessary to have a separate standalone licence for Voice Mail Service? If so, why? Please provide detailed justification?**
- Q2. If the answer to the Q1 is in the affirmative, whether the existing technical specifications need to be revised or redefined? What should be the revised technical specifications?**
- Q3. In view of Para 2.17 and present technological developments, is it necessary to have a separate standalone licence for only Audiotex Service? If so, why? Please provide detailed justification?**
- Q4. If the answer to the Q3 is in the affirmative, whether the existing technical specifications need to be revised or redefined? What should be the revised technical specifications?**
- Q5. Whether there is a need for standalone licence for providing Audio Conferencing Service? If yes, whether the technical specifications need to be explicitly defined? Please provide detailed justification?**
- Q6. If the answer to the Q5 is in the affirmative, what should be the technical specifications for providing Audio Conferencing Service?**
- Q7. Is it necessary to have a separate licence for Unified Messaging Service when holding an ISP licence is mandatory to provide the Unified Messaging Service and standalone ISP licensee is also**

allowed to provide Unified Messaging Service? If so, why? Please provide detailed justification?

- Q8. If the answer to the Q7 is in the affirmative, whether the existing technical specifications need to be revised or redefined? What should be the revised technical specifications?**
- Q9. In case Voice Mail/Audiotex/Unified Messaging Service requires a licence should they be made a part of the Unified Licence as one of the services requiring authorisation? Please provide detailed justification?**
- Q10. If the answer to the Q9 is in the affirmative, what should be Service Area? Whether Service Area may be similar to the Service Area of ISP (National Area, Telecom Circle/Metro Area, Secondary Switching Area) to bring in uniformity among the Service Areas of different services? Please provide detailed justification?**
- Q11. If Voice Mail/Audiotex/Unified Messaging Services is made a part of the Unified Licence as one of the services requiring authorisation, then what should be the Entry Fee?**
- Q12. Whether there should be any requirement for Minimum Net worth and Minimum Equity for Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**
- Q13. The annual licence fee for all the services under UL as well as for existing UASL/CMTS/Basic Service/NLD/ILD/ISP licensees have been uniformly fixed at 8% of AGR since 1st April 2013. Whether it should be made same for Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence? If not, why?**

- Q14. In case the answer to the Q13 is in the affirmative then what should be the definition of AGR for Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**
- Q15. What should be Performance Bank Guarantee, Financial Bank Guarantee and Application Processing Fee for Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**
- Q16. Whether the duration of the licence with Voice Mail/Audiotex/Unified Messaging Services authorisation be made 20 years as in the other licence authorisations under Unified Licence? If not, why?**
- Q17. What should be the terms and conditions for the migration of the existing Voice Mail/Audiotex/Unified Messaging Services licensees to Unified Licence?**
- Q18. Whether the existing Voice Mail/Audiotex/Unified Messaging Services licensees may be allowed to continue or it would be mandatory to migrate to the Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**
- Q19. What should be the annual licence fee for existing Voice Mail/Audiotex/Unified Messaging Services licensees who do not migrate to the Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**
- Q20. Please give your comments on any related matter, not covered above.**

List of Acronyms

S.No.	Acronym	Description
1	AGR	Adjusted Gross Revenue
2	ApGR	Applicable Gross Revenue
3	CDR	Call Detail Record
4	CLI	Caller Line Identification
5	CMTS	Cellular Mobile Telephone Services
6	DTMF	Dual-tone multi-frequency
7	ETR	ETSI Technical Report
8	ETSI	European Telecommunication Standards Institute
9	FBG	Financial Bank Guarantee
10	FDI	Foreign Direct Investment
11	FIPB	Foreign Investment Promotion Board
12	GMPCS	Global Mobile Personal Communication by Satellite
13	GR	Generic Requirements
14	ILD	International Long Distance
15	INSAT	Indian National Satellite System
16	IPLC	International Private Leased Circuit
17	ISD	International Subscriber Dialing
18	ISP	Internet Service Provider
19	ITU	International Telecommunication Union
20	IVRS	Interactive Voice Response System
21	LF	Licence Fee
22	MSS-R	Mobile Satellite System -Reporting
23	NLD	National Long Distance
24	OTT	Over the Top
25	PBG	Performance Bank Guarantee
26	PCM	Pulse Code Modulation
27	PLMN	Public Land Mobile Network

28	PMRTS	Public Mobile Radio Trunking Service
29	PSTN	Public Switched Telephone Network
30	SDCA	Short Distance Charging Area
31	SMS	Short Messages Service
32	SR	Service Requirements
33	SSA	Secondary Switching Area
34	STD	Subscriber Trunk Dialing
35	TEC	Telecommunication Engineering Centre
36	UASL	Unified Access Service Licence
37	UL	Unified Licence
38	UMS	Unified Messaging Service
39	USO	Universal Service Obligation
40	VMS	Voice Mail Service
41	VSAT	Very Small Aperture Terminal
42	WAP	Wireless Application Protocol

Annexure-I

Government of India
Ministry of Communications and IT
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi-110001
(CS-I Cell)

No. 846-53/2015-CS

Dated: 19th Jan 2016

To
The Secretary
Telecom Regulatory Authority of India (TRAI),
MTNL Building,
Jawahar Lal Nehru Marg,
New Delhi-110002

Subject: Recommendations of TRAI in regard to review of terms and conditions for issue of licences for Audiotex/ Voice Mail /Unified Messaging Services (UMS).

Dear Sir,

As you are aware, after considering the recommendations of TRAI for Unified Licenses, the Government decided to grant Unified Licenses for various services. However, Voicemail/ Audiotex/ Unified Messaging Services (UMS) licenses are not included in the Unified License. Therefore, Voicemail/ Audiotex/ Unified Messaging Services (UMS) licenses continue to be issued as per the existing guidelines prior to issue of UL guidelines.

2. Earlier, the TRAI was requested vide DOT letter No. 311-79/99-VAS dated 7th August, 2000 to give recommendations and on the basis of the recommendations of TRAI, guidelines in respect of Voice Mail /Audiotex/Unified Messaging Services were issued vide letter No. 846-53/2000-VAS dated 16th July, 2001(enclosed as Annexure-I). Application format for Voice Mail /Audiotex/Unified Messaging Services and license agreement had also been approved in 2001 by the competent authority. Subsequently, amendments were issued vide letter No. 846-38/96-VAS (Vol.II)/80 dated 26.08.2004 (enclosed as Annexure-II), and letter No. 846-110/2013-CS-I dated 06.12.2013 to incorporate changes in FDI conditions (enclosed as Annexure-III). A copy of the existing license agreement is enclosed as Annexure-IV.

3. Keeping in view the changes in technology during this period and the resultant new user applications and service delivery scenarios, there is a need to review the technical and financial specifications, scope and guidelines for services and the license conditions. The Recommendations of the TRAI are accordingly required for terms and conditions of issue of fresh licenses and for migration of existing licenses, if required, including issues such as Entry fee, Percentage of Revenue to be shared with the licensor (Including definition of revenue for the purpose), USO fund,

technical specifications, financial terms and conditions, period of license etc. TRAI may also give its view on any other issues considered relevant.

4. It would be appreciated, if TRAI can indicate the time by which it would be possible for TRAI to make available the requisite recommendations.

Encl: As above



(Dr. R.M. Chaturvedi)
DDG (CS)

Global Licensing Practices for Audio Conferencing Services

Audio Conferencing Service is globally a well established service which is provided using the PSTN resources from the licensed Service Providers and the Audio Conferencing Bridging equipment. Audio Conferencing Service enables multiple people to engage in the same call, regardless of the location. It is a powerful tool and replicates the scenario of a meeting room where everyone can hear what is being said and new people can be added to the ongoing discussion.

While establishing an Audio Conferencing, each participant requires the knowledge of conferencing phone number, meeting number and the time in order to join the audio conference. The meeting owner or host has certain additional call control features like muting participants. Furthermore features like security which delivers highly confidential audio services by providing additional level of security and management and diagnostic tool give the user a list of participants on the call and other trouble shooting services.

The Global practices in respect of Licensing of Audio Conferencing Services in some of the countries are explained below:

United Kingdom

In the UK entities may provide regulated telecommunications service (an electronic transmission service), which includes Audio Conferencing Service, without first obtaining a licence/registration. Once the entity provisions the service, however it must comply with the regulator's (OFCOM's) requirements, including paying an annual administrative fee when the entity's telecommunications revenues exceed Five Million British Pounds Sterling. The Audio Conferencing Services may be provisioned under Bespoke arrangements (example, to large business customers) and/or made available to general

public. If Audio Conferencing is made available to the general public, then the provider also would be subject to additional regulatory requirements, such as offering the service under standard terms and conditions and fulfilling general information requirements such as quality of service. Also, if the entity were to provide the Audio Conferencing Services using its own in-country equipment, it would be subject to additional regulatory requirements, such as equipment standardisation.

United States of America

Audio Conferencing is a regulated telecommunications service in the United States of America. Generally, service providers are required to have domestic and/or international 214 authorisations from the US Federal Communications Commission – though technically a company providing the service purely on a non-common carrier basis may not be required to get 214 authorisation. Either way (whether provided on a carrier or non-common carrier basis), revenues from the sale of Audio Conferencing service are subject to the federal Universal Service Fund (USF) regulatory fee.

Canada

Similarly, Audio Conferencing is a regulated telecommunications service in Canada. Revenues from the Audio Conferencing service are subject to regulatory fees in Canada. More specifically, the revenues earned from the provision of services in Canada are put through a formula which roughly speaking takes all Canadian telecommunications revenues and deducts any inter-carrier payments that have been made to offer the services. As with the USA, this contribution amount is payable to a third-party entity that has been tasked by the regulator to collect these funds for the purposes of supporting universal service objectives.

Hong Kong

In Hong Kong, Conferencing Service is regulated under the Services-Based Operators (SBO) regime which conferencing service providers are required to

obtain SBO licence to offer the service. The scope of service under conferencing would include audio/video and web conferencing. Conferencing licensees are allowed to set up their own conference bridge but are required to procure network connectivity from the Facilities-Based Operators (FBO) licensees. There is no strict requirement of the technology employed, which can be traditional TDM, IP or otherwise.

Singapore

In Singapore, service providers offering conferencing service would be required to obtain the relevant telecom licence (Services Based Operator or Facilities Based Operator) from the Infocomm Development Authority (IDA) where the applicant would need to provide service description in its submission. IDA will process the application, requests for clarification and/or additional information, and accordingly issue a letter of approval and the relevant telecom licence/licence amendment. IDA will specify in such letter of approval the scope of service approved and any special licence conditions applicable to the service provider in the provision of such service.

Taiwan

Conferencing service is regulated as a Type 2 telecom service and may include audio, video as well as web conferencing. Conferencing service providers offering service under Type 2 licences are allowed to set up their own conference platform but are not allowed to self-provide their own connectivity services. Instead, they are required to lease telecom facilities provided by Fixed Lines/Satellite service providers.

Malaysia

Conferencing service is regarded as an "application service" which is defined as "functions or capabilities, which are delivered to end-users" and licensed under the Application Service Provider licence framework. Conferencing service providers rely on the telecom facilities provided by other Network Services Providers (NSPs) or Network Facilities Service Providers (NFPs).