

To,  
Mr. Arvind Kumar, Advisor (Networks, Spectrum & Licensing),  
Telecom Regulatory Authority of India,  
[nsl.traigmail.com](mailto:nsl.traigmail.com) or [vk.agarwal@traigov.in](mailto:vk.agarwal@traigov.in).

**TRAI Consultation Paper on Definition of Adjusted Gross Revenue (AGR) in Licence Agreements for provision of Internet Services and minimum presumptive AGR dated 28<sup>th</sup> December, 2012**

VOICE comments are as under:-

**E. Issues for Consultation**

**43. Stakeholders are requested to give their comments on definition of AGR for all three categories of ISP licences.**

VOICE COMMENTS: For all three categories, AGR should have uniform definition which should include all revenues accrued in the business less of course pass through charges, levies and taxes only without any other exception.

The reason for this is to make it as simple as possible so that no scope for manipulation, litigations or misinterpretation is there. Secondly all the licensees will have a level playing field.

**44. Should minimum presumptive AGR be applicable to BWA Spectrum holders under Internet Service/Access Service license(s) and other licenses with or without spectrum, including access service licenses? If yes, what should the value of minimum presumptive AGR?**

VOICE COMMENTS: Yes, there should be a minimum presumptive AGR applicable for all types of licenses, with or without spectrum. This should be calculated as a percentage of minimum expected/estimated revenue and should be charged on a progressive basis. For example if the roll-out specified is say 3 years, provide a grace period of 1 year and then charge license fee and spectrum fee (if applicable) on 10% of estimated revenue (as if the roll-out has progressed as prescribed) or actual AGR whichever is higher for each subsequent year.

**45. Please suggest the amendments required in the formats of statement of revenue and licence fee reported by various categories of Internet service licensees and UAS licensees.**

VOICE COMMENTS: In view of comments to item 44 above, changes required are-

Annexure II - Deduction B1 to be removed  
- Add in Deductions any charges paid for Internet services/bandwidth/spectrum charges to other service providers

Annexure III - Deduction B1 to be removed  
- Add in Deductions any charges paid for Internet services/bandwidth/spectrum charges to other service providers

Annexure IV - Deduction B1 to be removed  
- Add in Deductions any charges paid for Internet services/bandwidth/spectrum charges to other service providers

**Hemant Upadhyay**  
**Advisor- IT & Telecom**

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Consumer VOICE  
O-45, Basement, Lajpat Nagar II, Ring Road  
New Delhi-110024  
Ph. 011-24370455 / 47331025 Fax 011 24379081  
www.consumer-voice.org  
<http://www.consumer-voice.org>