

Q.1: What changes are suggested in the sampling methodology in order to make it more representative of the post-paid and prepaid user segments or different types of tariff plans? Should the full spectrum of tariff plans be subject to audit? What considerations are required to be taken to address the issues or concerns related to the incidences of wrong charging specially in case of data packs, STVs, multiple tariff packs at a time, etc.? Please give your views with detailed justification.

Sampling matrix should also take into account-

- the complaints received from consumers postpaid & pre-paid, tariff related, STV related, voice or data related etc. for the audit period. This will provide real-time feedback on the design, implementation and issues related to different services on offer.
- Not only numbers but value involved- this will provide a real impact of various practices by TSPs. Since high value customers are relatively few, in numbers-based sampling, real impact of any sharp practice undertaken by TSP will get camouflaged.

Q.2: How IT tools and new technologies can be used to adopt preventive and proactive ways to avoid occurrences of error in charging or wrong configurations leading to charging? Whether the IT capabilities of other systems available with the service provider may be made available to the auditor for audit purposes? How such tools developed for rigorous testing before launch of new tariff plans can also be used for audit purposes? Please give your views with detailed justification.

Above modifications suggested in sampling will be possible only because sufficient IT tools are now available.

Secondly, a limited zero-sum system should be developed to (like Electricity distribution companies to determine line losses) to cross-check reasonable variation within limits (can be prescribed by TRAI) between input and total billing.

Q.3: With the evolution of new technologies and mediums to provide information related to terms and conditions, tariff details to the customers at the time of subscriptions or making it available as and when required by the customers, what changes are required to assess the delivery of information in timely and appropriate manner to the customer? Please give your views with detailed justification.

With current IT capabilities, it is now possible for the TSPs to suggest alternative plans based on the usage pattern of individual consumers.

Secondly, looking at the difference in tariffs between pre-paid and postpaid, a postpaid subscriber always feels cheated but current postpaid tariffs being affordable (and mostly reimbursed under corporate plans or otherwise), postpaid to pre-paid migration is low. Whenever the TSPs start increasing tariffs (as is being threatened off and on), a very large migration from postpaid to pre-paid is almost given.

So, if a better value proposition is not offered to postpaid subscribers, (even TRAI has a role to play in this otherwise feeling of bias will have credence) feeling of postpaid subscriber being cheated will continue.

Q.4: What IT-enabled measures need to be considered to ensure consistency of the tariff information across the different channels or mediums? Please give your views with detailed justification.

We strongly suggest that all tariff related information should be mirrored on TRAI site as well as TSPs database used for billing. **Today** we believe it is possible and it will eliminate need for verification and audit at least for one stage of billing.

So, any new tariff should be first put on TRAI site and after say 24 hour (for TRAI to review if needed) same can be mirrored to TSPs database.

Q.5: What changes are suggested in handling of billing complaints? Whether defining what constitutes billing complaint may help in bringing uniformity? Whether higher frequency of audit of complaint handling would help in improving effectiveness of complaint redressal mechanism? Please give your views with detailed justification.

We need to classify billing complaints under different heads Payment, plan, lack of information to consumer, lack of application on the part of TSP etc. For this it will be in the interest of consumers that a proper definition is provided.

But now the focus has to shift from calls to data. For data, consumers do not have any means to measure and keep track of usage. Apart from defining data billing, it will be an immense service to consumers if TRAI provides an APP/Tool to consumers for keeping track of their data usage. Some tools are inbuilt in the handsets/OS but they can not be used for disputes.

Again, as mentioned earlier, frequency and kind of audit has to take into account the complaints being received and there is a definite role for CAGs in providing their inputs. For example, lately most of the billing complaints relate to international roaming, so audit with this focus should be planned till these reduce.

Q.6: To conduct special or peer audit, where old records might be required to carry out the audit, what may be prescribed to ensure that the relevant details are maintained for a sufficiently long period, and made available to the auditor in a timely manner for conducting the audit? Please give your views with detailed justification.

In place of peer audit, we would suggest audit under an audit committee comprising of all TSP representatives as well as about 2 CAG representatives, preferably in each circle. The starting point should be complaints received in immediately preceding quarter and review of audit / action taken for 1 quarter earlier. So, in total 6 months' records required unless of course there is a recurring critical issue.

Q.7: Should the Regulation 6C, Regulation 6D and Regulation 6E of the regulations dealing with consequence for failure of the service providers to submit audit report and action taken report, consequence for failure of the service providers to refund overcharged amounts to customers and consequence for failure to provide comments on audit observations in the Action taken report respectively be retained as it is or they need to be altered/strengthened. Please support your views with rationale.

Penalties and disincentives are very much required to ensure compliance. Penalties imposed on TSPs under different heads should also be publicized and included in TRAI quarterly reports as well. As to the enhancement of penalties, it should depend on the level of compliance. If no improvement is observed, penalties need to be enhanced but for that suggestion, data of past disincentives is required.

Additionally, in spite of earlier attempt by TRAI, we need to find a way to compensate the consumers specially for every valid complaint. If it is beyond TRAI's scope, in consumer interest TRAI should guide CAGs for way forward.

Q.8: Any other issues which are relevant to this subject.

We have been emphasising repeatedly to utilize CAGs in consumer centric activities of TSPs including billing, tariffs, consumer complaints etc. TRAI did make an initial effort in involving CAGs in Appellate committees but it should not have topped at that. CAGs have gained vast experience while continuously interacting with consumers on a day to day basis, being member of Appellate committees for 3-4 years have added to this experience and they now better appreciate the TSPs side. One does realise that TRAI cannot directly interact with consumers, almost 100 crores of them, CAGs should be automatic choice of reach. At the same time putting CAGs vast skills and expertise to good use has to be ensured actively by TRAI. We suggest CAGs role should be formalized beyond Appellate committees, by creating a *Umbrella Appeals Committee* (UAC) to analyse and report on a quarterly basis. UAC can also be entrusted with quarterly audits (peer audit) referred above, look at industry best practices and initiate standardisation of redressal systems. This UAC may consist of all TSP representatives and 2-3 CAGs at circle level and similar set-up at national level.