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RJIL/TRAI/2020-21/90  
07<sup>th</sup> July 2020

To,

**Shri Kaushal Kishore**  
**Advisor (F & EA-I)**  
**Telecom Regulatory Authority of India**  
**Mahanagar Doorsanchar Bhawan**  
**Jawahar Lal Nehru Marg, New Delhi 110002**

**Subject: Comments on Consultation Paper on "Regulation of International Mobile Roaming Services" dated 26.05.2020.**

Dear Sir,

Please find enclosed comments of Reliance Jio Infocomm Ltd. on Consultation Paper on "Regulation of International Mobile Roaming Services" dated 26.05.2020.

Thanking You,  
For **Reliance Jio Infocomm Limited**

  
**Kapoor Singh Guliani**  
Authorised Signatory



**Enclosure:** As above.

**RELIANCE JIO INFOCOMM LTD'S COMMENTS ON TRAI'S CONSULTATION PAPER ON  
"REGULATION OF INTERNATIONAL MOBILE ROAMING SERVICES"  
(Consultation Paper Dated 26<sup>th</sup> May 2020)**

1. We thank the Authority for issuing this consultation Paper to take stakeholders views on additional measures required to regulate the International Mobile Roaming (IMR) services in order to prevent bill shocks.
2. Reliance Jio Infocomm Limited (RJIL) appreciates the Authority's concern on introducing International best practices in the realm of IMR services to ensure consumer friendliness and to prevent bill shocks. However, we submit that primary issue behind bill shocks remains insufficient understanding of consumption of IMR services, especially vis-à-vis mobile data. Many consumers do not turn off the auto download/update feature in mobile applications leading to a situation of bill shock with same level of consumption when travelling abroad as in home location.
3. Further, many users are not even aware of the data consumption of such background activities. We understand that providing users with relevant information in an effective manner can prepare them on managing their use of communication services when roaming outside of their home markets. Greater awareness of the charges that they may face when travelling outside their home market can also help users in modifying their consumption patterns and take steps to avoid inadvertent charges. The indicative information regarding background data consumption by various popular applications should be made available on TRAI website for better awareness of the consumers.
4. We understand that increasing the consumer awareness regarding consumption and tariff applicability should address a major part of the bill shock related concerns. We submit that the Authority has already done stellar work in increasing the tariff awareness for both home and IMR tariffs, however, knowing the high impact of high IMR tariffs on bill shock, more can be done to increase the awareness and consumption of IMR tariffs.
5. We submit that the primary tool to increase this awareness is transparency and communication. Regulatory initiatives should be focused on increasing transparency for users, which will help them to better manage their usage of IMR services and understand the implications of roaming on their bills consequently will help reduce bill shock.
6. As noted by the Authority, the ITU, in its International mobile roaming strategic guidelines of 2017 under "Consumer protection" section, has focused on active participation by the Informed Consumer. It notes that the focus should be to empower consumers and allow them to gain access to the necessary information, via transparency of prices and greater



awareness, which allows them to become “informed consumers”. As this alone will enable customers to better manage their consumption and avoid inadvertent charge in IMR.

7. Further, the ITU approved Recommendation ITU-T D.98, further enhanced with Recommendation ITU-T D.9731, also recommends transparent information on IMR retail rates and structure before users roam internationally, Usage alerts when users start to roam and warning alert when a certain cost has incurred, among the measure to empower the IMR consumers.
8. GSMA has also endorsed similar measures to help mobile subscribers better understand their data roaming charges and more effectively manage their use of data services. The recommended measures include sending text messages to remind mobile users of their data roaming tariffs when they arrive in another country and turn on their mobile device, implementing a monthly data roaming spending limit to help consumers manage their roaming bill and sending alerts when their data usage approaches the limit, temporarily suspending data service when use exceeds the spending limit.
9. Thus clearly, the international consensus is also towards empowering IMR consumers with information and consumption alerts to help them better manage their IMR bills. We submit that the current prevailing regulatory framework for IMR awareness in the country, primarily consists of the Telecom Consumers Protection Regulations, 2012 (TCP R 2012) requirements to provide details of the vouchers on subscription and informing the IMR users to deactivate data services in his mobile phone if they do not intend to use data services while roaming outside the country, supplemented by the transparency in tariff advertisements regarding material disclosures among others.
10. We submit that in addition to these mandatory requirements, RJIL has implemented additional measures based on the Authority’s approach and international best practices. Some of these measures are detailed as below:
  - a. The IMR services are provisioned only on explicit consent by the consumers by either requesting for activation or by purchase of an exclusive IMR tariff pack.
  - b. The subscribers are provided a tariff alert on registering first time on an International network.
  - c. The subscribers are provided a tariff alert every 7 days, while in international roaming.
  - d. In case the subscriber registers on a new network in same roaming country, the subscriber is provided a tariff alert, informing him on the applicability of the opted IMR pack, if applicable, in this new network and standard tariff otherwise.



- e. In line with the TCPR 2012 requirements for data consumption notifications, similar notifications are sent to the consumers in IMR as well. The scope of notifications has been extended to include the consumption of minutes, SMS and even balance in case of an IMR combo voucher.
11. We submit that implementation of aforesaid international best practices has enabled RJIL to control the bill shock complaints in IMR substantially and these can be suitably replicated by other service providers as well.
12. We further submit that Authority has mostly maintained tariff forbearance for various service domains of telecommunication services including IMR, which has been supportive to the rapid growth of the sector. However, we submit that forbearance should be deployed judiciously on a case to case basis. There are certain issues where forbearance can be counterproductive. With regards IMR, this negative scenario can be seen in the difference in standard IMR tariffs and pack tariffs.
13. As Authority has rightly noticed, in some cases the difference is stark for some TSPs, which can only be a tool to force the users to opt for expensive packs, thereby extracting higher revenue from even the marginal IMR users. We understand that the Authority cannot much intervene in the IMR Pricing due to the involvement of operators in other countries, however, as the IMR rates are negotiated on a wholesale level and are not dependent on packs, it can intervene in removing the disparity in pack and non-pack IMR tariffs and it should. We submit that there will always be a reasonable volume discount in the pack charges due to the commitment and confirmed revenue aspect, however, this difference should not be very stark.
14. Further, we have noted the international practices like 'Daily pass' and 'roam further' highlighted by the Authority to increase consumer benefit. We submit that the Daily pass concept is already implemented in RJIL daily IMR pack, under this the 24 hour usage period does not start till the subscriber makes first consumption from the pack entitlements. This ensures best utilization of the pack benefits. The subscribers can be encouraged to use multiple daily packs and use them judiciously to economize their IMR consumption.
15. With regards 'roam further', we submit that this is a byproduct of high ARPU and high home data charges in the home country. This enables the TSP to offer consumption from home bucket, while in IMR at a daily fee, which incidentally is comparable to daily IMR pack tariff in India. We submit that such concepts can be implemented in India only when the home data tariffs are comparable or atleast high enough to negotiate and implement such plans with IMR partners, which can only happen once the Authority implements the data floor tariff in the country.



16. We would further like to highlight one more factor here facilitating the implementation of all the aforesaid transparency measures in postpaid as well. Internationally, the online charging mechanism has been implemented by most operators using CAMEL, thus there is not much dependence on tap files to charge the customer, which used to be the reason for lag in billing the postpaid customers earlier leading to the difficulty in implementing measures like consumption notifications.

## 17. Conclusions

1. The solution to IMR bill shock issues lies in more aware and empowered consumer.
2. The international best practices on activation and consumption notifications should be adopted for IMR consumers
3. The disparity between Standard rates and pack rates should be removed and the Standard rates should not be substantially higher than pack rates
4. The principle of forbearance should be deployed judiciously for the benefit of both consumers and TSPs.
5. Market failures should be addressed and enabling provisions should be implemented by the Authority forsaking forbearance, if required.

### Issue wise response:

**Question 1: Should not the IMR service remain inactive at the time of issue of the sim till the same is activated by the subscriber as a part of the IMR tariff-selection exercise? Please elaborate your submissions.**

### RJIL Response:

1. We submit that in RJIL network, IMR services are default services made available to all prepaid and postpaid subscribers at the time of subscription, however, as a principle these services are kept in inactive state and have no associated recurring charge in this state. These services are activated only when a subscriber seeks to activate these services explicitly or are activated when s/he purchases an IMR pack.
2. While we appreciate the Authority's concern on bill-shock related issues, we submit that the operators are equally concerned about the same and have equal or even more interest in keeping the high value IMR customers happy and satisfied, therefore the service is activated and charged only when the consumer actively seeks the service by either opting for the pack or voluntarily activates the service to be used on Pay as you go basis.



3. We submit that IMR market is a mature market in the sense that most consumers are aware of the fact that the charges are different than regular mobile services and have various options like OTT and prepaid travel cards or local SIM to substitute these services, therefore over regulation of IMR is not required. However, as there are persisting cases of bill shock, the Authority should seek to address these residual bill shock cases through better information to consumers. Further, as long as the essential information that influences a consumer's decision making is provided in a cogent and understandable manner, there is no need for any intervention.

**Question 2: Should it not be mandatory to communicate the details of activation and applicable tariff immediately by SMS or email on completion of the tariff-selection exercise by the subscriber? Please give your views.**

**RJIL Response:**

1. We agree that the consumer should be aware of the details of the applicable tariff and should have the confirmation of same once he/she has activated the plan. However, the Authority is aware that the IMR tariffs are extensive and vary for each country and even for codes and operators within a country and only feasible way to provide the comprehensive IMR tariff details is through the TSP website. We submit that RJIL providing the detailed tariff rates for all countries/codes/operators transparently and in a searchable manner on its website. We submit that sending this comprehensive information over SMS to every customer that activates IMR service is practically infeasible and should not be mandated.
2. Further, as in case of Pay as you go customers, the TSP would not be aware of the countries proposed to be visited, it becomes impossible to provide a focused information over SMS to subscribers. Thus, such technically infeasible requirements should not be mandated. Because even if the detailed information is provided over the SMS, the subscriber will be at loss to search the relevant information in a chain of SMS. We submit for certain requirements website remains the best and only feasible medium and should be promoted accordingly.
3. On the other hand, when a subscriber opts for an IMR pack, the tariff choices are limited under the pack and can be comprehended in an SMS or email. We submit that most TSPs are anyhow complying to this requirement for pack users and this best practice should be encouraged. In case the intent of the Authority is connect to consumers through SMS, then a tiny url to the webpage with searchable/pdf tariff details can be sent to consumers on activating the service. In addition to this the TSPs can provide the Standard rates without or without pack to customers upon registering to network in Visited country location via SMS to ensure that customers make informed choice to use IMR.



4. Nevertheless, we submit that when a customer registers on a foreign network, RJIL provides the applicable tariff information to the customer over SMS, which should suffice the requirement.

**Question 3: Should not the tariff details and related terms and conditions be communicated to subscribers of IMR service by SMS and /or email as soon as the phone is switched on in the visiting country by the subscriber. Please elaborate your views.**

**RJIL Response:**

1. Once an RJIL IMR subscriber is in the visitor country, he gets a confirmation of the country/region that he/she is in and the applicable IMR tariff. In case of a change in the telecom service provider in the visiting country, this intimation is once again sent to the consumer. We understand that this intimation is sufficient to remind the consumer that the IMR has been activated. Further, besides this information, the consumer will already have the reference in the confirmation SMS or mail, which will provide the details of the activated tariff plan.
2. However, in case the Authority feels then the url link to terms and conditions can also be sent to customer on their first registering in visited location, in addition the terms and conditions can be sent on mail and link via SMS upon enabling the IMR service.

**Question 4: Please give your views on the significant differences in tariffs for IMR Service under Standard Rates and IR Packs. Furthermore, your views are solicited as to how these two rates can be rationalized.**

**RJIL Response:**

1. We submit that the IMR tariffs are based on the negotiated bulk tariff with the operators in visited country and these negotiations are based on bulk basis and are not dependent on the pack or Pay as you go status of an individual customer. Evidently the cost remains the same within a same operator network. Therefore, we understand that there should not be significant difference between the standard and Pack tariffs, the only difference would be based on the minimum commitment and beneficial offers for such users and that should remain as packs play a vital role in IMR and also lead to enhanced customer satisfaction. However, in case some TSPs are offering extremely divergent Standard and Pack tariffs then they can be advised to rationalize their standard tariffs.
2. We further submit that the Authority should refrain from venturing into the construct of the IMR packs as this would be tantamount to interfering with the freedom to innovate and would be averse to ease of doing business tenets. The TSPs compete through process



of tariff innovation by offering retail tariffs with different structure to cater to needs of different segments of customers. These innovative packs are designed basis calling and data consumption pattern of the user with analysis over long durations and on large number of subscribers. Thus, they are not comparable with standard tariffs which generally cater to occasional users with scattered usage pattern.

3. We further submit that the IMR Packs are offered to protect interest of consumers and prevent any bill shocks for them. Consumers are risk averse and would like to avoid such shocks. To meet this risk aversion requirement of consumer, TSPs offer IR packs (bundled offer), in which the customer pays a fixed amount for unlimited data usage for a day, week or month while roaming.

**Question 5: Should not the IR packs apply automatically the moment subscriber's expenses on IMR Services exceed the corresponding daily IR Pack rate unconditionally for all the countries for which the service provider is offering IR Packs?**

**RJIL Response:**

1. We submit that there are many issues with this proposal. The first and foremost is the consent issue, the Authority has over the years developed a doctrine of explicit consent and informed choice for subscribing to any packs and this proposal will be violative of the same and also be violative of the international concepts.
2. Secondly, this retrospective activation of pack will also impact the notification requirements, which are always indicative and guide the consumer on his usage pattern, however, under this proposal the same cannot be implemented and might lead to a reverse wave of customer dissatisfaction and complaints.
3. The third and most critical issue is the unavailability of a standardized trigger for such a pack activation. The IMR pack generally provide 4 line items (i) outgoing Voice calls to India or world, (ii) data services (iii) incoming services (iv) outgoing SMS. The usage metrics on each of these services will differ for different customers. Thus, the issue will be when to trigger a pack and on consumption of which item exceeding the pack value, which will be different for each customer. Furthermore, there can be a scenario when the pack offers only a fixed number of minutes and beyond that the customer will be charged at standard rates. Thus, even after deploying the protection of the pack the customer will face the perceived bill shock.
4. In view of the above regulatory and implementation difficulties, we submit that this proposal should not be considered. As mentioned above, IR packs are developed based on deeper understanding of consumers' calling and data usage patterns and to address





risk averse behavior of consumers. Additionally, the IMR market is also exceedingly competitive with advent of substitute services and players, providing options to the consumer to use their service rather than IMR service being provided by his/her incumbent domestic telecom service provider. This pushes the relevant service provider to also ensure and offer best suitable product offering to its user. We reiterate that Standard Rates and IR Packs are two different products and should not be mixed or substituted for.

**Question 6: Can IR Packs presently offered for one day duration be used to subscribe for multiple days to avail IMR Service? Whether the TSPs be mandated to permit combination of different IR plans as per requirement of the consumer? Please elaborate your submissions.**

**And**

**Question 7: Why should not the IMR tariff be counted in 24 hour format on the first use of data, making or receiving a call or sending a text message and renewing the charges for only those 24-hour periods in which the services have been used rather than on calendar day basis? Please elaborate your submissions.**

**RJIL Response:**

1. Yes, this is possible, in RJIL network there are no restrictions on subscribers in opting for multiple recharges of a daily pack and use the same as per their own convenience. We agree with the concept of Daily Pass and have implemented the same in our network as well. The 24 hour validity of a 1 day validity IMR pack is triggered only on the first consumption of the pack entitlements, the same policy is implemented in weekly and monthly packs, i.e. the pack validity is triggered only when the subscriber makes first consumption of the pack entitlements.
2. However, on a weekly (or higher validity) pack, with similar daily entitlements, the daily pass concept cannot be implemented as for customer convenience these packs are provided with a volume based discounted tariff in comparison to daily pack accounting for the average usage of consumers. However, if the customer wishes to use IMR sporadically in his travel, then there is always the option of buying multiple daily packs and use the same as per convenience.
3. The mandate to make available multiple day recharge of the daily pack will not address the concerns as this will only make the lower value higher validity packs scarce. The current practice of offering multiple IMR packs TSP, ranging from 1 day, 7 day, 10 day and 28 days should not be disturbed as these packs are built to provide better and more economic options and meet the generic travel period requirements.



4. With regards the Authority's reference to the "Roam Further" and similar offers, we bring the Authority's attention to the high mobile tariff in these countries, especially data tariffs, which help enable offering of such consumer friendly programs and submit that in order to envisage such plans, there should be semblance of comparable minimum guaranteed returns of data charges in India, certainly accounting for PPP and other relevant factors and submit that such innovations can foster only once the data floor pricing is in place.
5. We would also like to flag another concern vis-à-vis daily pass applicability in postpaid. We submit that in postpaid IMR packs, the customer's postpaid billing is based on calendar cycle. The implementation of daily pass can lead to a situation IMR usage of can spill over from one bill cycle to next bill cycle leading to bill shock related complaints and to avoid that either the concept should be avoided in postpaid or an additional set of communication should be sent to such customers.

**Question 8: In consumer interest why it should not be mandated for the service providers to send updates in respect of the data usage exceeding certain pre-established milestones such as 50%, 80%, 90% and 100% of the data entitlement? Please give your views.**

**RJIL Response:**

1. We submit that in consumer interest, RJIL has already implemented a notification at the aforesaid TCPR 2012 milestones for the IMR users. We submit that the notifications are provided for all the entitlements in an IMR pack. i.e. Voice, Outgoing SMS and Data services and even for balance consumption in Combo voucher. This measure ensures that consumers are aware of their usage details at important milestones and get an opportunity of renewing the packs and plan their usage in a more efficient way.
2. We submit that this a major consumer friendly measure that has proved really effective in curtailing bill shock and undesirable usage and should be standardized across all TSPs. The usage notifications at 50%, 90% and 100% consumption of entitlements would take away most of the concerns raised in this paper.

**Question 9: Will it not be advisable to mandate the TSPs to inform the subscriber by SMS every time the subscriber lands in a country/area not covered by the IR Pack subscribed, of the fact of roaming in an uncovered zone, and the tariffs applicable thereto? Would the aforesaid requirement suffice or whether alongside this, the TSPs be mandated to keep the mobile data in the inactive mode and activate only in accordance with the directions of the subscriber? Are there any other measures that can be taken to cover the situation as detailed?**



**RJIL Response:**

1. We submit that under the current regulatory regime, the TSPs are required to send an alert SMS/USSD to mobile subscribers, with international roaming facility activated on their mobiles, as soon as the consumer roams outside the territory of India, advising him to deactivate the data services in his mobile phone if he does not intend to use data services while roaming outside the country. In addition to the same, as mentioned above, RJIL is also sending applicable standard tariffs to the customer on registering to network in visited location.
2. Additionally, we are also providing SMS information to the consumers of applicable IMR tariffs once every 7 days or whenever the partner network in the visited country is changed as there can be tariff differential in such scenario as well. The consumer is also informed as to whether the new operator is covered under his opted pack or not to help him make informed consumption decisions.
3. As an additional measure, we suggest that such notifications and means to activate IMR can also be communicated to consumers over OTT applications like WhatsApp, as in many cases the consumers use such applications over Wi-Fi, while keeping their mobile networks off. This can also be a useful mode of connecting with customers.
4. We submit that with such progressive and proactive notification there would not be a requirement to turn off the mobile data. Moreover, mobile data should not be compulsorily turned off when a consumer lands in a country/area which is not covered by the IR Pack subscribed as any such deactivation can be a cause of severe inconvenience for the consumer as he/she may have unknown situations to address when in a new country/area. As mentioned above, notifications related to he/she visiting a new country/area, non-validity of subscribed IR Pack and data consumption levels (50%, 90% and 100% of data entitlement) are sufficient updates to inform the consumer and ensure no bill shocks due to lack of awareness of the consumer.

**Question 10: What are your views on the measures suggested in para 3.21 to protect the consumer from bill shocks due to usage of services beyond the pack entitlements? Please provide your views on each of the above measures and suggest additional measures, which in your opinion can be helpful in addressing the issue.**

**RJIL Response:**

1. We submit that the option (a) under para 3.21 i.e. barring the services as soon as the plan entitlements are exhausted is a feasible and currently implemented option for prepaid and postpaid subscribers in our network. We submit that with the global implementation

