



Telecom Regulatory Authority of India



Recommendations

On

Regulatory framework for Internet Telephony

(Response to back-reference dated 19th June 2018 received from
Department of Telecommunications on TRAI's recommendations
dated 24th October 2017)

New Delhi

16th July 2018

Telecom Regulatory Authority of India
Mahanagar Door Sanchar Bhawan
Jawahar Lal Nehru Marg
New Delhi – 110002

Contents

TRAI's RESPONSE TO THE BACK REFERENCE OF DoT 1

ANNEXURE: DOT'S BACK-REFERENCE DATED 19th June 2018

TRAI's RESPONSE TO THE BACK REFERENCE OF DoT

A. Background

1. The present Licensing framework in India permits Basic Service licensee, Unified Access Service Licensee (UASL), Cellular Mobile Telecom Service (CMTS) licensee and Unified Licensee (access service authorisation) to provide unrestricted Internet Telephony. These licences further permit that while providing Internet Telephony service, the licensee may interconnect Internet Telephony network with PSTN/PLMN/GMPCS network. Despite the fact that these licences allow to provide unrestricted Internet Telephony, the service did not take off in the country.
2. In order to address the concerns of the stakeholders, the Telecom Regulatory Authority of India (TRAI) has *suo-motu* issued a Consultation paper on 'Internet Telephony (VoIP)' on 22.06.2016. The Consultation paper invited comments and counter comments from stakeholders on the important issues in respect of Internet Telephony. Subsequently, a letter dated 22.12.2016 was received from DoT with a request to expeditiously submit the recommendations on Internet Telephony. An Open House Discussion was also held on 12.01.2017. The Authority after carefully examining various issues emanating from the submissions of the stakeholders, in-house analysis & research issued its recommendations on 24.10.2017.
3. The recommendations have been considered by DoT. DoT has issued the following clarification on 19th June 2018 which is the pivotal issue deliberated in the TRAI recommendation dated 24.10.2017:

“With reference to the Internet Telephony services envisaged in the Licenses it is clarified that the said service is un-tethered from the underlying access network. Hence Internet Telephony service can be provided by Access Service Provider to the customers using Internet Service of the other service providers.”

DoT has also incorporated the necessary changes in the UAS, UL, CMTS and UL(VNO) licences for most of the recommendations made by the Authority.

4. However, through its letter dated 19th June 2018, DoT has referred back only one recommendations (Para 5.2(ii)) in terms of fifth proviso of section 11 (1) (d) of the TRAI Act, 1997 and requested the Authority to submit its reconsidered opinion in the light of the comments/observations of the DoT. Additionally, DoT has asked TRAI to submit an impact analysis for the introduction of Internet Telephony. A copy of the DoT's back reference is attached as **Annexure**.

B. Response of the Authority to the recommendation referred in back reference

5. The Authority's earlier recommendation which has been referred back, the views of the DoT thereon, and the response of the Authority are given below:

Para 5.2(ii) of Authority's Recommendations dated 24th October 2017:

“The SDCA linked numbering series may also be used for Internet Telephony by a service provider. However, in this case, mobility should be restricted to consumer premises.”

DoT view

“The above-said recommendations of the TRAI has been examined by the DoT and it has been noted that the use of SDCA(Short Distance Charging Area) linked number series for Internet Telephony may be deferred pending further consultation with TRAI since the numbering plan for fixed services constitute hardly 1% of total subscriber base as on date but are consuming large numbering resources and the level assigned for SDCA linked numbering scheme may be required to be reassigned for mobile usage in near future. Further, restricting the subscribers to customer premises may not be enforceable in present scenario.”

Response of TRAI

The rationale behind the Authority’s recommendations has been clearly brought out in Para 3.45, 3.46, and 3.47 of its recommendations dated 24th October 2017. It is also noted that Internet Telephony has been allowed to Basic Service licensee vide amendment in licence conditions dated 14.12.2005. The Authority does not concur with the views of DoT that numbering series allotted for Basic Services cannot be utilised for providing the Internet Telephony Service. As detailed in Chapter IV of the recommendations, DoT’s view is not in line with the global best practices. Although, some countries have started allocating geographical numbering series for nomadic use also TRAI has recommended for a non-nomadic Internet Telephony service using the SDCA linked numbering series allocated for Basic services. It is worth mentioning here that SDCA linked numbering series is already being used for fixed WLL services in our network.

The concern about the inefficient utilisation of numbering plan for fixed services is valid but it is not linked to Internet Telephony. On the contrary, use of fixed line number series for Internet Telephony may boost the utilisation of fixed numbering series. Even if some levels assigned for SDCA linked numbering series are reassigned for mobile usage in future, the levels remaining for fixed services can be used for Internet Telephony.

The aspect of enforceability of restricting the mobility to consumer premises was examined while formulating the recommendations. Accordingly, in the Para 5.3(i) of the recommendations, the mandatory requirement of providing the public IP address used for originating/terminating Internet Telephony calls, in the CDR and providing location details in the form of latitude and longitude, wherever feasible; has also been incorporated. Therefore, it is technically possible to enforce the geographical nature of SDCA linked numbering scheme.

In view of the above, TRAI reiterates its recommendations.

C. Additional request made by DoT

DoT view

“The TRAI is also requested to submit an impact analysis for the introduction of Internet Telephony as TRAI is mandated to ensure orderly growth of Telecom Sector”

Response of TRAI

It may be noted that impact analysis can only be done when the service has been provided for a significant duration of time. It is also necessary to define the contours of the study before undertaking the study. The Internet Telephony service which has been envisaged in these recommendations is yet to be launched by the TSPs in India. In

the absence of any feedback on consumer experience any impact study cannot be undertaken.

For undertaking impact analysis, a separate reference under Section 11(1)(a) of the TRAI Act, 1997 may be sent to TRAI when the service matures in the Indian telecom network.

Annexure

No.20-573/2017 AS-I
Government of India
Ministry of Communications
Department of Telecommunication
Access Service Division-I

Sanchar Bhawan, New Delhi
Dated the 19th June, 2018

Subject: Reference back on TRAI recommendations dated 24.10.2017 on Regulatory Framework for Internet Telephony- regarding

Kindly refer to the TRAI recommendations dated 24.10.2017 on Regulatory Framework for Internet Telephony which have been examined in the Department of Telecom.

2. In this regard, it is noted that the para 5.2 (ii) of said TRAI recommendations provides that:

"The SDCA linked numbering series may also be used for providing Internet Telephony by a service provider. However, in this case, mobility should be limited to customer premises."

3. The above-said recommendations of the TRAI have been examined by the DoT and it has been noted that the use of SDCA (Short Distance Charging Area) linked number series for internet telephony may be deferred pending further consultation with TRAI, since the numbering plan for fixed services constitute hardly 1 % of total subscriber base as on date but are consuming large numbering resources and the levels assigned for SDCA linked numbering scheme may be required to be reassigned for mobile usage in near future. Further restricting the subscribers to customer premises may not be enforceable in present scenario.

4. Accordingly, the para 5.2 (ii) of TRAI recommendations dated 24.10.2017 on Regulatory Framework for Internet Telephony is being referred back to TRAI in terms of fifth proviso of section 11 (1)(d) of the Telecom Regulatory Authority of India Act, 1997 (as amended) to submit its reconsidered opinion in the light of comments/ observations of the DoT mentioned at para 3 above.

5. The TRAI is also requested to submit an impact analysis for the introduction of Internet Telephony as TRAI is mandated to ensure orderly growth of Telecom Sector.

This issues with the approval of competent authority.


(R.K.Sorli) 19/6/18
Director (AS)
Tele. 23036284

To
The Secretary,
Telecom Regulatory Authority of India Mahanagar
Doorsanchar Bhawan, Jawahar Lal Nehru Marg (Old
Minto Road) New Delhi-110002