



**VIL Counter Comments to the TRAI Consultation Paper on
“Terms and Conditions for the Assignment of Spectrum for
Certain Satellite-Based Commercial Communication Services”
issued on 27.09.2024**

This is with reference to the TRAI Consultation Paper on “Terms and Conditions for the Assignment of Spectrum for Certain Satellite-Based Commercial Communication Services” dated 27.09.2024 and the comments from various stakeholders on this paper, as uploaded on TRAI’s website.

In this regard, we hereby submit our counter comments (given below) for Authority’s kind consideration.

A. Satellite services will be extended to consumers in both urban and rural areas

1. In our view, the satellite players have a clear strategy and plan of launching the communication services in urban as well as semi-urban areas. The narrative being pushed that the satellite services are being launched for serving the unconnected, is a fallacy and is being used to seek relaxations in spectrum assignment methodology, pricing and related norms.
2. This is also clear from the comments submitted by the satellite players. We would like to highlight the comments made by Starlink, which on one hand states that affordable access to broadband via satellite will be enabled for those who need it the most. It also states that consumer demand from users unserved by terrestrial networks will soon begin to outstrip the carrying capacity achievable through limited numbers of Ka-band gateways alone. .
3. On the other hand, it states that the accessibility for satellite broadband will be for any and all Indians and it will also serve those existing users who are already having broadband options which are expensive or unreliable (means they are already being served). Extract of such comments is reproduced below:

*SpaceX and Starlink India submit that the TRAI’s assessment of the appropriate period of spectrum assignment should thus be guided by a simple principle – **maximizing accessibility to next generation satellite broadband for any and all Indians who want it and need it.***

Indian users who seek access to affordable next-generation satellite broadband services such as Starlink are likely doing so because their current options are too expensive, too unreliable, or non-existent.



4. One another stakeholder has also stated similarly, extract of which is reproduced below:

Project Kuiper will provide ubiquitous, high-capacity, high-speed, low latency broadband services to residential customers, schools, businesses, and institutions around the world, and also communications to terrestrial mobile network operators, global enterprises, and government users, among others.

5. Considering above, it is evident that the satellite players will be extending their broadband services to all areas including urban and semi-urban areas, and will directly compete with terrestrial communication service providers.
6. **Therefore, no spectrum policy (including assignment methodology and pricing) should get influenced by the fallacy being pushed by satellite players for their commercial business interest. It is important that TRAI ensures level playing field in between the various players providing competing and same services (voice or SMS or data/internet).**

B. Large investments require long-term certainty and level-playing field

1. The TSPs are serving approx. 1.2 billion telecom subscribers including approx. 950 mn broadband subscribers out of which 906 mn are wireless broadband subscribers. This has been possible only due to huge investments made in the network infrastructure and spectrum acquisition.
2. Post assignment through auction, spectrum has always been one of the major costs to deliver services to the consumers. TRAI is well aware that even presently, operators are not able to get reasonable return on their investments, coupled with the fact that the services in India are one of the cheapest across the globe.
3. Considering this, it is important that massive investments from TSPs, are protected through a fair, transparent and robust regulatory policies thereby providing certainty and level-playing field to all competing players.
4. In this regard, we refer to the comments submitted by various satellite players wherein even they have realized and stated the importance of regulatory certainty w.r.t. their investments, that too at a stage when the services have not been yet launched. Extract of comments of Starlink and Amazon are reproduced below on sample basis:



Longer and more predictable time horizons of continued access to critical spectrum will incentivize all satellite operators to focus on affordable pricing and long-term business plans – thus maximizing the number of users who can access these services. This is essential for ensuring that satellite broadband serves those who need it the most as soon as possible, while also supporting the establishment of a healthy satellite broadband ecosystem.

Amazon respectfully recommends spectrum assignment be co-terminus with the license. Under this mechanism, the TRAI should establish a spectrum assignment period of 20 years or till expiry of the license, whichever is earlier. Doing so would allow greater regulatory certainty and facilitate timely deployment of satellite services, which require significant investment and many years of planning. The costs of deploying an operational satellite system – including the kind of system that can deliver high quality broadband connectivity to tens of millions of broadband customers and businesses across the globe – have been estimated to be in the billions. This high level of upfront investment requires an equally high level of regulatory certainty as to which operators are subject to which regulations, and how those regulations are to be construed, implemented, and enforced.

5. Therefore, in such capital-intensive infrastructure-based sector like telecom, certainty in regulatory policies for existing and new operators are a must, to ensure investments are protected and also to keep investor's confidence intact thereby bringing more investment into the sector.

6. **Considering above, we strongly urge the Authority to ensure regulatory certainty and level-playing field in the spectrum allocation and pricing policies across terrestrial and satellite players. It would be grossly unfair if relaxed pricing/assignment methodology /other norms are extended to satellite players (who have not even launched the services) whereas the terrestrial players continue to be burdened with huge spectrum costs, that too for providing same services (voice, SMS and internet/data).**

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