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**भारत संचार निगम लिमिटेड**  
( भारत सरकार का उपक्रम )  
**BHARAT SANCHAR NIGAM LIMITED**  
(A Govt. of India Enterprise)  
**BSNL 3G ))) BSNL LIVE**  
Faster than your thoughts 2010

**No. 1-2/2012-Regln**  
To

**Dated: the 14<sup>th</sup> Feb., 2012.**

The Secretary,  
Telecom Regulatory Authority of India,  
MTNL Telephone Exchange Building,  
Jawahar Lal Nehru Marg, (Minto Road),  
**New Delhi-110002.**

**[Kind Atten: Shri Sudhir Gupta, Principal Advisor(MS)]**

**SUB:-Consultation Paper on draft Guidelines for Unified Licensing Regime.**

Sir,

Kindly refer to your Consultation Paper No. 01/2012 issued on 16<sup>th</sup> January, 2012, seeking comments of the stakeholders thereon by 31<sup>st</sup> January, 2012.

In so far as BSNL is concerned, the comments on the issues raised in the Consultation Paper are as follows:-

<b>S.No.</b>	<b>Issue for consultation</b>	<b>BSNL's Comments</b>
1.	Scope for License for Unified License (National Level/Service area level/ District level), Class License and License through Authorization.	No comments.
2.	Actions which can be classified for minor violation and major violation for levy of penalty.	No comments.
3.		Penalties proposed in para 10 seems to be very high in comparison to net worth of company. This may be resolved by increasing net worth requirement in para 2.4. Non adherence to QoS (para 26) should attract penalty and not just breach of contract.
4.	What should be the terms and Conditions of Licensing through Authorization?	No comments.
5.	Whether Voice mail/Audio text/UMS Services and Radio paging should Continue to be under licensing regime?	Voice mail/Audio text/UMS services may be kept out of licensing regime.
6.	Is there any other service(s), which ne	MPLS/Data/IP VPN should be under

	to be brought under licensing regime?	Licensing regime.
7.	In the new licensing regime, spectrum Has been de-linked from the Unified license. In such a scenario, should TRAI be entrusted with the function of Granting all types of Unified license as is prevalent in majority of the countries in the world?	TRAI is a regulatory authority and it should not be entrusted with the function of granting all types of unified license.
8.	Any other issues	(i) There should be a restriction on the number of operators in a license area. It should not exceed 6. (ii) Net worth requirement as mentioned in para 2.4 should be increased to ensure only serious and genuine players enter into the field.  (iii) Spectrum should not be restricted With respect to services.

In addition to above, it is also requested that the following points may kindly be considered while finalizing the Licensing Terms and Conditions:-

(a) Will existing Licensees stand automatically migrated to the Unified Licensing Regime i.e. will the CMTS License of BSNL will stand automatically converted to national level Unified License?

(b) Will the National level Unified License of BSNL include Delhi \* Mumbai?

(c) As the number of Licensees increase specially in view of the proposed district level Licenses, the existing operators would need to put in large amount of CAPEX for providing interconnection. Will the said CAPEX/ portion of the same, be borne by the new Licensees?

(d) The licensee should be permitted to enroll subscribers only in the LSA they have been licensed for and only for the services they have been licensed for. This seems to be obvious but is being mentioned since it is understood that few operators did not follow the same under the garb of 3G Roaming.

(d) Many mobile subscribers have CUG and they are also a part of the Public network. As such, para 5 1(b) of the draft guidelines for Unified License is not understood and may be clarified.

**( Raj Kumar )**  
**AGM(RegIn-II)**