

**BIF RESPONSE TO TRAI CP ON REVIEW OF VOICE MAIL/AUDIOTEX/UNIFIED  
MESSAGE SERVICE LICENSES**

**Q1: In view of the discussion in Para 2.13, is it necessary to have a separate standalone licence for Voice Mail Service? If so, why? Please provide detailed justification?**

**BIF RESPONSE:**

As clearly brought out in Para 2.13, the Voice Mail Service is a service which has outlived its usefulness. As is evident this was quite useful during the pre CLI/SMS/Smartphone era, where you could leave your name, telephone number and a short message in case direct and real time communication was not possible.

These days Voice mail services and further enhanced services are available through the smartphones and through several OTT applications. Also the same is available on the landline phones and also on some of the mobile phones.

Separate standalone implementation of Voice Mail service is really not required as was envisaged in the TRAI recommendations of 2001.

In the month of August 2013, the DoT had introduced the Unified Licence regime and thereafter, DoT is only issuing Unified Licence with service authorization for different telecom services. Thus, it would be inappropriate to follow a standalone licence regime for any telecom licence now.

Thus, separate standalone license for Voice Mail service is really not required as this service can be offered under Unified License (Access Service Authorization).

**Q2. If the answer to the Q1 is in the affirmative, whether the existing technical specifications need to be revised or redefined? What should be the revised technical specifications?**

**BIF RESPONSE:**

NOT APPLICABLE

**Q3. In view of Para 2.17 and present technological developments, is it necessary to have a separate standalone licence for only Audiotex Service? If so, why? Please provide detailed justification?**

**BIF RESPONSE:**

As per existing DOT guidelines of 16.7.2001, it is not required to obtain any licence for providing standalone Audiotex services by any service agency for any purpose, be it marketing or servicing, or customer care, etc

Also TSP/ISPs covered under BSL/UASL/UL licenses are permitted to provide Voice Mail/Audiotex services including multi-party audio conferencing. However, there is no standalone license for either Voice Mail or Audiotex or Unified Message Service license

Additionally, as mentioned in response to Q1, such services can be offered under Unified License (Access Authorization) and thus there is no need for an independent license. All telecom services should now be permitted under a Unified Licence regime

**Q4. If the answer to the Q3 is in the affirmative, whether the existing technical specifications need to be revised or redefined? What should be the revised technical specifications?**

**BIF RESPONSE:**

Not applicable as there is no requirement to have a standalone Audiotex license.

**Q5. Whether there is a need for standalone licence for providing Audio Conferencing Service? If yes, whether the technical specifications need to be explicitly defined? Please provide detailed justification?**

**BIF RESPONSE**

**As the subject is of strategic importance from the point of view of niche incumbent players on one side and the Unified Licencees with access service authorisation who are authorised to offer these services on the other side.. Broadband India Forum would like to present the views of both the sides who are our members, so as to maintain an impartial and neutral representation to both the perspectives. We believe both need serious consideration. The regulator, we are confident, would weigh all aspects and take the appropriate decision.**

**VIEW ONE :**

There is no need for a standalone licence for providing Audio Conference as Multi-party Audio Conferencing is permitted under the Audiotex service for which the TSP/ISP is not required to have a standalone license. The same should be moved to a Unified Licence regime

As per Clause No. 27.3 & 27.4 of the amended Voice Mail/Audiotex/Unified Message Service license, multi-party conferencing is permitted, provided point to point conferencing & illegal bypass of STD/ISD traffic of a TSP/ISP is restricted. Further, the service areas of these licences are limited to SDCAs only. Licence conditions should be strengthened to ensure that these licence conditions are not further

misused as being reported in the media. Additionally such services can be offered under Unified License (Access Authorisation)

Since the licence agreement does not refer to any explicit TEC GR on Audio Conferencing or that by any other standards body and also since the boundaries for this service is already defined in the license conditions, apparently there is no need for defining any technical specifications for the same.

## VIEW TWO

Provision of Voice Mail / Audio Conference / Audio Tex / Unified Messaging Service should

not be placed under Unified License as currently these services are already under a license granted under section 4 of Indian Telegraph Act, 1885. However unlike other licensees under the Act a holder of audio conference license does not provide the underlying telecom connectivity under its license. For which it has to depend upon customer provided access as well as telco provided access. Given the nature similar to that of OSP or IP-I, it's best if the said service be placed under a registration as against a license. Such entities cannot be compared to a telecom licensee/operator who has the right to create infrastructure and provide telecom service under their single license. The existing license for Voice Mail / Audio Conference / Audio Tex / Unified Messaging only permits creation of infrastructure. Provision of telecom service there is a dependency on existing telecom operators to provide the connectivity. Unless the connectivity is sourced, the infrastructure created is not of much significance as it is unable to provide any service to the customer. This is similar to the OSP registration where the OSPs are required to source telecom connectivity from authorised telecom service provider. The regulations around audio conferencing should be **light touch** and should be such which encourages more people to people communication.

The regulatory framework should encourage entrepreneurs to come forward and become niche providers of services as against taking licenses which may at times be non-viable from commercial stand point given high entry and recurring cost.

Currently there exists a standalone license titled Voice Mail / Audio Tex / Unified Messaging Service. Any entity desirous of providing Audio Conferencing Service is granted the same license. Also pursuant to the DoT amendment to the captioned service issued vide letter No. 846-38/96-VAS (Vol.II)/80 dated 26<sup>th</sup> August 2004. There is no need for a standalone licence for providing Audio Conference as Multi-party Audio Conferencing is permitted under the category of license titled Voice Mail / Audiotex / Unified Messaging service for which the TSP/ISP is not required to have a standalone license.

As per Clause No. 27.3 & 27.4 of the amended Voice Mail/Audiotex/Unified Message Service license, multi-party conferencing is permitted, provided point to point conferencing & illegal bypass of STD/ISD traffic of a TSP/ISP is restricted. Also access to LEAs and storing of call logs upto two years must be done

TEC has issued a specific GR titled Audio Conference Service No. TEC/SR/SA/ACS-001/01/MAR-09. DoT should incorporate the details of the same.

**Q6: If the answer to the Q5 is in the affirmative, what should be the technical specifications for providing Audio Conferencing Service?**

**BIF RESPONSE**

Not applicable

**Q7 : Is it necessary to have a separate licence for Unified Messaging Service when holding an ISP licence is mandatory to provide the Unified Messaging Service and standalone ISP licensee is also allowed to provide Unified Messaging Service? If so, why? Please provide detailed justification?**

**BIF RESPONSE**

Since Unified Licensee with ISP or Access Service authorisation is authorised to provide Unified Message Service. Additionally, a standalone ISP licensee and an independent licensee for these services is also permitted to offer Unified Message Services, hence it is not necessary to have a separate license for Unified Messaging Service alone.

**Q8: If the answer to the Q7 is in the affirmative, whether the existing technical specifications need to be revised or redefined? What should be the revised technical specifications?**

**BIF RESPONSE**

Not applicable

**Q9 In case Voice Mail/Audiotex/Unified Messaging Service requires a licence should they be made a part of the Unified Licence as one of the services requiring authorisation? Please provide detailed justification?**

**BIF RESPONSE**

**VIEW ONE:**

As per Clause 2.1a( vi ) of Chapter VIII, Voice Mail/Audiotex/Unified Message Services can be provided by a Unified Licensee with Access Service authorisation. Unified Messaging Service can be provided by a Unified Licensee with Internet

Service authorisation. Internet Service Authorisation allows pan-India ( category A ), Telecom Circle/Metro ( category B ) and SSA ( Category C ).

Thus, creating a separate authorization under Unified Licence for offering such services is not recommended. However, measures must be taken to prevent any kind of regulatory arbitrage.

In case TRAI still decides in favour of creating a separate authorization for offering such services under Unified Licence, then it should be ensured that the terms for offering these services under different service authorizations under Unified Licence are uniform in all respects.

This is important so as to maintain a level playing field and to prevent any regulatory arbitrage. Further, existing UASL/UL (AS) operators should also be allowed to hold a separate authorization for offering these services under Unified Licence.

### **VIEW TWO:**

As given in Response to Q5 above ( VIEW TWO )

**Q10: If the answer to the Q9 is in the affirmative, what should be Service Area? Whether Service Area may be similar to the Service Area of ISP (National Area, Telecom Circle/Metro Area, Secondary Switching Area) to bring in uniformity among the Service Areas of different services? Please provide detailed justification?**

### **BIF RESPONSE**

The answer to Q9 is that separate license for Voice mail/Audiotex/Unified Message Service is not required as TSP/ISP with Access Service/Internet Service authorisation is already permitted under Unified License..

Thus, it is recommended that in order to bring uniformity and to improve transparency, the Unified license should be granted, with minimum authorization for at least one LSA as continuing with SDCA as service area would not be prudent.

### **VIEW TWO**

Current definition of Service Area needs to be expanded from SDCA to SSA/Circle.

**Q11: If Voice Mail/Audiotex/Unified Messaging Services is made a part of the Unified Licence as one of the services requiring authorisation then what should be the Entry Fee?**

### **BIF RESPONSE**

No separate standalone authorisation/license is envisaged, as explained in response to earlier questions.

Voice mail/ Audiotex / Unified Messaging Services should be provided under Unified License (with Access Authorisation). The Entry Fee, Minimum Net worth and Minimum Equity should be the same as that applicable under UL (Access Service Authorisation).

**Q12: Whether there should be any requirement for Minimum Net worth and Minimum Equity for Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**

**BIF RESPONSE**

Since no standalone and/or separate License/authorisation is envisaged for Voice Mail/Audiotex/Unified Message Service, hence no separate requirement for Minimum Net worth & Minimum equity is required. The Entry Fee, Minimum Net worth and Minimum Equity should be the same as that applicable under UL (Access Service Authorisation).

**Q13: The annual licence fee for all the services under UL as well as for existing UASL/CMTS/Basic Service/NLD/ILD/ISP licensees have been uniformly fixed at 8% of AGR since 1st April 2013. Whether it should be made same for Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence? If not, why?**

**BIF RESPONSE:**

Currently, a uniform licence fee of 8% across all telecom licences is applicable. We strongly recommend that the same licence fee rate may be made applicable for all telecom licences/services including Voice mail/Audiotex/Unified Messaging Service

**VIEW TWO:**

In view of response to question No. 5, there should not be any requirement to have a telecom licence. Instead it should be registration specific. If that be the case, there should not be any license fee.

**Q14: In case the answer to the Q13 is in the affirmative then what should be the definition of AGR for Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**

## **BIF RESPONSE**

The existing definition of AGR as prescribed under UL (Access Service Authorization) [Clause 2.1 (a) (vi)] for Voice Mail / Audiotex / Unified Messaging Services should be considered.

**Q15: What should be the Performance Bank Guarantee, Financial Bank Guarantee and Application Processing Fee for Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**

## **BIF RESPONSE**

In this case, the terms of PBG, FBG and Application Processing Fee as prescribed under UL (Access Service Authorisation) must be followed.

**Q16: Whether the duration of the licence with Voice Mail/Audiotex/Unified Messaging Services authorisation be made 20 years as in the other licence authorisations under Unified Licence? If not, why?**

## **BIF RESPONSE**

Post Migration, BIF recommends that duration of license for authorised services shall be the same as the duration of the UL which is for a period of 20 years. This shall be irrespective of the validity period of the license already held.

However, for existing licensees whose duration of license is for a period of 15 years, the same should be closed upon completion of the scheduled period.

**Q17: What should be the terms and conditions for the migration of the existing Voice Mail/Audiotex/Unified Messaging Services licensees to Unified Licence?**

## **BIF RESPONSE**

Following terms and conditions have already been defined for the migration of existing service licensees to UL and the same should be followed.

1. Validity of UL with service authorisation shall be for 20 years, irrespective of validity period of license already held

2. Entry Fee applicable shall be the same for a new Unified Licensee.

However, if it's an ISP with BWA spectrum who wishes to migrate to UL regime with authorisation to provide Access Services , an additional fee equal to the difference between entry fee paid for UASL licensee and entry fee for an ISP licensee besides entry fee (as applicable ) for new UL Licensee.

Additionally, some rebate is allowed in the Fees for the remaining/balance number of years in the existing license

3. After migration, Terms & Conditions of Unified License shall be applicable . Roll-out obligations & other relevant liabilities viz. financial dues, treatment of violations, imposition of penalty associated with existing license/spectrum holdings shall remain applicable under terms of existing license, post migration to UL.

We also recommend that all existing Voice Mail/Audiotex/Unified Messaging Services should be mandatorily migrated to a UL (Access Service Authorization).

**Q18: Whether the existing Voice Mail/Audiotex/Unified Messaging Services licensees may be allowed to continue or it would be mandatory to migrate to the Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**

#### **BIF RESPONSE**

As mentioned earlier in our response, a standalone/separate license is not envisaged for Voice Mail/Audiotex/Unified Message Service licenses. Hence they should be mandatorily migrated to the UL within a prescribed time frame as suggested by the Authority. This shall also take care / remove any arbitrage that currently exists between the current set of independent licenses and post their migration to UL Regime. In case, TRAI do not want mandatory migration, then it should be ensure that equal licence terms including levying of licence fee is applied both on existing and new licences offering these services

#### **VIEW TWO:**

However, for those who do not opt to migrate during the currency of their license agreement, the terms and conditions should not be changed.

**Q19: What should be the annual licence fee for existing Voice Mail/Audiotex/Unified Messaging Services licensees who do not migrate to the Voice Mail/Audiotex/Unified Messaging Services authorisation under Unified Licence?**

#### **BIF RESPONSE**

Under the principles of equality, same service should be subjected to same rules.

For those who opt to migrate to the Service authorisation under Unified License and those who don't , the license fees and entry fees should be the same and should not be changed as it exists currently under their respective authorisation.. If the same is changed, it shall amount to a forceful migration which should be discouraged

The process for migration should be so simplified that existing licensees are encouraged to migrate to a manageable platform for both operator and regulator.

More often than not it is the length of processes for migrating that discourages operators from changing.

While requesting TRAI to bring down the licence fee for all telecom services at 6%, Applicable uniform License fee of 8% of AGR should be made applicable which is at par with that of other telecom services being provided by UL licensee with authorisation for Voice Mail/Audiotex/Unified Message Service.

**Q20: Please give your comments on any related matter, not covered**

**BIF RESPONSE**

No comments