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Response to TRAI Consultation paper
on “Voice Mail/Audiotex/Unified
Messaging Service” license

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Preamble

Voice Mail/Audiotex & Unified Messaging are content services provided on public networks like Public Switched Telephone Network (PSTN). This is to a large extent similar to Application service providers who build applications over and above the telecom resources procured from licensed TSP at commercial rates.

There are over 10 companies in India who offer hosted communication services, either startups or small companies. These companies are innovating as they leverage India’s inherent strengths in digital technologies. There is a need to recognize such hosted communications service providers who are offering their services, supporting millions of SMEs already. They have the potential to augment employment opportunities as local language processes are required and there is no need for high end infrastructure. If an Unified License is mandated, then entry barriers for startup and small companies would be insurmountable and innovations built over telecom infrastructure would be stifled.

We therefore feel, that while Unified License may allow for Voice Mail/ Audiotex and Unified Messaging, restricting the option of offering these services to only Unified License holders or to regulate as per the T&C of the Unified License only is unjustified.

We, instead recommend that a simple information declaration process should be outlined for content services being provided over PSTN. This is in line with NASSCOM’s recommendations on net neutrality and inputs on OTT regulations, where content service providers should not be subject to regulations meant for infrastructure providers.

In the globalised world today, any regulations proposed should not only be enforceable, but it should under no circumstances, pose challenges for Indian companies, putting them at further risk in comparison to their global counterparts, thereby prompting a barrier for innovation and technology adoption within the country.

Our response to the specific questions in the consultation paper is therefore based on the above principles.

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?

The observations made in para 2.13 on the smartphone era and OTT's offering communication services are a true reflection of the existing scenario.

Voice Mail Service is not about getting a network or carriage, but about their ability to interact and appropriately respond to their business leads/ customers where they were unable to connect in real time. This could be the case due to multiple calls coming at the same time on their number, their sales agents being busy interacting with other leads/customers or the caller's attempt to reach the business outside of its operating business hours.

Therefore, we believe it is unfair to impose a requirement for a license for services like voicemail because it is neither an access service nor a carriage service and hence does not fall under any provisions of the UL, and is in reality Application service. Further OTT services can also offer voice mail.

This is also in line with NASSCOM response on the regulation of OTT apps.

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?

The current access protocols need revision as subscribers increasingly require non real time accessibility to stored messages through medium of internet or via email. As the technology and business evolve analytics and integration with Customer Relationship Management(CRM) systems. Therefore, access and retrieval is required through mediums like email or directly accessible online via internet on a non-real time basis

Telecom service providers should continue to have a say in technical specifications for physical infrastructure and equipment for telecom services.

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?

In Para 2.17, reiterates that for in house supporting content services, there is no need to apply for audiotex license by service agencies. This position should be maintained.

We believe that there is no need for licensing for any audiotex services. This is a content service and not a carriage service, that uses the telecom network to offer enriched content to users e.g. a caller interacts with database through a telecom resources to .

Instead, there should be a standalone information declaration process for providing any value added service or content/application service or Voice OTT service, including Audiotex Service. This process could be designed similar to the existing Industrial Entrepreneurs Memorandum (IEM), which is an application for acknowledgment of unit or the process followed by the DIPP. Similar precedence also exists in the process being followed for FDI under automatic route.

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?

We reiterate that there should be no licensing requirement.

On the technical specifications, we recommend that there should be a frequent review process to keep pace with changes in technology and weed out any technology obsolescence.

The current TEC standard towards Audiotex must be updated in line with the latest technological developments.

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?

In line with our response to Q3 above, we recommend a standalone information declaration process for providing any value added service or content/application service or Voice OTT service, including Audiotex Service instead of licensing.

This process could be designed similar to the existing Industrial Entrepreneurs Memorandum (IEM), which is an application for acknowledgment of unit or the process followed by the DIPP. Similar precedence also exists in the process being followed for FDI under automatic route.

There is a need to allow for the proliferation of innovative value added services leveraging the strength of India eg. cloud based communication services. As these are content services, we recommend that existing licensing requirements maybe done away with and a simple registration process “Registration of Audiotex/Conferencing Providers” maybe developed.

While the country wide practises quoted in Annexure – II outlines the licensing practises, the process being practises in reality are simple, timely and have little cost implication. This feature should be an integral part of any registration process that maybe developed by the DoT.

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

We recommend that there should be a frequent review process to keep pace with changes in technology and weed out any technology obsolescence.

The current TEC standard must be updated in line with the latest technological developments. This may be evaluated by a Technical committee.

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?

The messaging today covers:

- Text Messages through SMS/OTT services.
- Mail Services using SMTP Mail Servers.
- Fax messaging – getting replaced by transmission of image using OTT service
- Video messages.
- Voice messages.

There is no need for any license to cover the said unified messaging.

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?

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?

UL licensees are permitted to offer Audiotex and Conferencing services, and should continue.

Instead, we would like to address the scenario where non UL licensees should be allowed to offer value added services.

Conferencing/Audiotex services cannot be offered without the application provider taking its lines from an authorized access service provider. Customers of application services cannot consume these services without a device/phone connected by an authorized TSP.

Therefore any attempt to impose extra licensing requirement for Conferencing/Audiotex service providers would amount to double licensing.

In line with our answer for Q5, Audiotex and conferencing are content/application services on top of licensed voice networks and hence there is no need to license it again. Instead, there should be a standalone information declaration process for providing any value added service or content/application service or Voice OTT service, including Audiotex Service for service providers who do not have a UL.

This process could be designed similar to the existing Industrial Entrepreneurs Memorandum (IEM), which is an application for acknowledgment of unit or the process followed by the DIPP. Similar precedence also exists in the process being followed for FDI under automatic route.

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?

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?

We believe that Voice Mail/Audiotex/Unified Messaging/Conferencing services do not require licensing. Consequently, there is no need for an entry fee, however small the fee itself may be charged for registration purposes.

The existing application processing fee for Audiotex license is INR 20000 and the PBG is 3 Lakh INR. These amounts may be revised to fully cover for all processing costs incurred by the Government, under the simple information declaration process proposed.

We believe that there is no requirement of separate Entry Fee as the telecom service providers have already paid an Entry Fee as a part of Unified Licence.

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?

Voice Mail/Audiotex/Unified Messaging Services use the existing telephony infrastructure as backbone and are essentially add ons. Since there is no need for a separate authorisation from a Unified License perspective, there is no corresponding need for Minimum Net Worth & Minimum Equity.

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?

Voice Mail/Audiotex/Unified Messaging Services use the existing telephony infrastructure as backbone and are essentially add ons. The telecom service providers earn revenue for utilizing their telephony infrastructure. As this revenue already forms a part of AGR, there is no requirement of additional annual licence fee.

We find no reason to change existing financial terms and conditions.

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?

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

Voice Mail/Audiotex/Unified Messaging Services use the existing telephony infrastructure as backbone and are essentially add ons. The telecom service providers earn revenue for utilizing their telephony infrastructure. As this revenue already forms a part of AGR, there is no requirement of additional annual licence fee.

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?

The duration of the license is a matter of administrative convenience.

For an information declaration process, timeline thresholds can be defined, where companies maybe asked to share updated information. The Authorities may choose a time frame that is acceptable and convenient to them.

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

There is no reason for Voice Mail/Audiotex/Unified Messaging to migrate to UL. Our recommendations is to do away with licensing and replace it with a simple information declaration process.

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?

There is no reason for Voice Mail/Audiotex/Unified Messaging to migrate to UL. Our recommendations is to do away with licensing and replace it with a simple information declaration process.

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?

There is no reason for Voice Mail/Audiotex/Unified Messaging to migrate to UL. Our recommendations is to do away with licensing and replace it with a simple information declaration process.

Q20. Please give your comments on any related matter, not covered above.