

RJIL/TRAI/2023-24/276

5th January 2024

To,

Tejpal Singh,

Advisor (QoS-I)

Telecom Regulatory Authority of India,

Mahanagar Doorsanchar Bhawan,

Jawaharlal Nehru Marg, New Delhi - 110002

Subject: RJIL's comments on TRAI's Consultation Paper on "Regulation on Rating Framework for Digital Connectivity in Buildings or Areas".

Dear Sir,

Please find enclosed the comments of Reliance Jio Infocomm Limited (RJIL) on the Consultation Paper dated 27.09.2023 on **"Regulation on Rating Framework for Digital Connectivity in Buildings or Areas"**.

Thanking you,

Yours Sincerely,

For **Reliance Jio Infocomm Limited**

Kapoor Singh Guliani

Authorized Signatory

Enclosure: As above

**Reliance Jio Infocomm Limited's comments on TRAI's Consultation on
"Regulation on Rating Framework for Digital Connectivity in Buildings or Areas" dated 27th
September 2023**

Preface:

1. Reliance Jio Infocomm Limited (RJIL) thanks the Authority for giving an opportunity to offer comments on the important consultation paper on **Regulation on Rating Framework for Digital Connectivity in Buildings or Areas**.
2. We reiterate our comments to the consultation paper on 'Rating of Buildings or Areas for Digital Connectivity' and submit that there is a need for smoothening several bottlenecks to roll out of digital infrastructure. The Authority has rightfully recognized the role and importance of Digital Connectivity Infrastructure ('DCI') and In-Building Solutions ('IBS'). **We trust that the draft regulation will take a major step in easing the bottlenecks for installing DCI.**
3. We also reiterate our submissions that the provision for DCI should be included as part of regulation and approvals in National Building Code ('NBC'), Model Building Bye Laws ('MBBL') and other relevant regulations. The role of the National Building Code of India and Building Bye Laws should be more to give legal backing to the ecosystem required for digital connectivity including associated requirements such as developing solutions using certified products and tools, deploying solutions by certified professionals and evaluation of the network by empanelled or certified agencies.
4. We further submit that the DCI implementation should be backed by the law. For instance, RERA act does not cover DCI at present. Mandating digital connectivity inside the buildings should be incorporated in the builder-buyer agreement for covering it under the jurisdiction of this Act and its enforceability by the RERA.
5. We believe that with the implementation of Regulation for Rating of buildings, necessary impetus will be given to inclusion of the requisite DCI in the building plans for new buildings, while simultaneously incentivize the property managers of the older buildings to devise ways to install DCI so that their building value can improve. **This Regulation will also help create and an ecosystem for planning, designing, installation and rating of DCI on the similar lines as is being done in case of civil and electrical engineering works.**
6. We submit that the draft Regulation has addressed all the relevant issues and concerns of the TSPs. The consultative process could have become more comprehensive had there been participation by at least major developers or property managers.

7. It is also submitted that the proposed Advisory Committee, mentioned in para 4.4.2.4 of the consultation paper, consisting of relevant stakeholders including representative from academia, Ministry of Housing and Urban Affairs (MoHUA), DoT, CoDCI, BIS, TSPs/ISPs, Multi-System-Operators(MSOs),CREDAI, etc. to advise on the matters related to proliferation, popularisation and adoption of rating framework as may be referred by TRAI from time to time, should be formulated at the start of the process itself. We submit that rating of buildings being a new concept, the Authority should leverage all possible support to popularize the same at initial stage itself.

Issue wise response:

Q.1- Do you agree with the broad classification of Buildings or Areas (also referred as Buildings) from Digital Connectivity perspectives provided in Section-3 of this chapter? If not, what could be other yardsticks to classify Buildings for provisions of near uniform Digital Connectivity Infrastructures in similar types of Buildings. Please justify your answer with suitable examples.

RJIL Response:

1. The section 3 of the CP classifies the buildings in categories of Residential, Public Area, Government Buildings, Commercial Establishments, Transport Corridors, and this broad classification seems sufficient. However, there can be certain buildings that can be included in these categories, however, may not be on same level as the other buildings in these categories.
2. For instance, sports arenas like stadiums or playgrounds, can be included in the public areas, however, their Digital Connectivity Infrastructure (DCI) requirements will not be same as other buildings in the same categories. A stadium that holds international or IPL cricket matches with massive footfalls for around 50 days in a year will have different DCI requirements than a regular city playground that is frequented throughout the year, but with much smaller footfall. Similarly, there can be cases of certain Government buildings PSU buildings that may have much larger footfalls and may require another layer of DCI.
3. Thus, DCI requirements for a category of building should have sufficient leverage to include the exceptional cases, including the few examples detailed above. Otherwise, there can be separate categories to address these special cases.

Q.2- How the Infrastructure Providers (IPs) and Digital Communication Infrastructure Providers (DCIPs) can play an instrumental role in the effective development and deployment of DCI in Buildings or Area? Please provide your answers supporting the best practices followed internationally or national level in this regard.

RJIL Response:

1. The deployment of effective DCI in the buildings can only be done through a collaboration between Property Managers and Telecom Service Providers (TSPs) and/or IP-1 providers acting at the behest of TSPs. The DCI infrastructure to cater to all the residents in a building has to be planned only by TSPs or their associated IPs. Further, only the TSPs can ensure that the in-building network is plugged with appropriate backhaul connectivity to deliver seamless services.
2. It is further submitted that in line with Singapore and European countries model, the requirement of interoperability in last mile network infrastructure should be adopted as a best practice. Thus, the DCI should be interoperable and compatibility with all TSPs/ISPs. The end customer should have the option to toggle between the network providers. This will ensure that IPs and DCIPs create and maintain the DCI which can be utilized by all TSPs as per the customer requirements.

Q.3-What should be the key eligibility conditions including experience requirements for the Digital Connectivity Rating Agency (DCRA) proposed under the rating framework? Should there be any performance security for an agency to be DCRA and what should be criteria to evaluate their performances? Please also indicate broad scope of work covering additional aspects of Rating of Buildings for Digital Connectivity, if any, including area of operations [Nation-wide, State(s)/Union Territories(UTs) or Combination of States/UTs] of a DCRA.

RJIL Response:

1. We agree with the Authority's view that evaluation of digital connectivity in a building will be entirely different from evaluation from civil and structural stability aspects. The Digital Connectivity Rating Agency (DCRA) will no doubt need to be well equipped with the specialised knowledge/expertise pertaining to catering of current wireless and wireline telecom services and ensuring provisions for expansion or agility for next generation networks along with the skillsets to design as well as evaluate specialised in-building solutions for these services. Thus, the DCRA applicants and/or its employees should be equipped with knowledge of telecommunication as well as building designs and aesthetics.
2. This knowledge should be backed with real life experience in designing and deploying DCI for a relatively significant number of years to ensure that requisite know-how and awareness of real-life challenges in installing DCI. As this will be an entirely new field, the experience requirements, as far as rating or evaluation is concerned, may not be mandatory, however, should be preferred.

3. Performance security is an important financial tool to ensure that the frivolous and non-committed parties are kept at bay. However, the amount should be reasonable and not prohibitive. The amount of performance security can be worked out on the basis of approximate fee for building evaluation. The Authority can extrapolate this number with the expected number of buildings for rating for 3 months to arrive at performance guarantee amount.
4. The performance of the DCRA should be measured on the basis timeliness of report submission and, feedback by the property managers.
5. The scope of work should not be overcomplicated, the DCRA should be required to rate the building on pre-set parameters and provide a rating as per pre-defined guidelines, in an objective manner. There should be no scope of subjective interpretations to impact the rating of building.

Q.4-With reference to the rating criteria proposed in table at Section 6.2, kindly provide list of possible sub-criteria and corresponding sub-weightage against each criterion with justification? Please also indicate any other aspect which need to be included or modified in the proposed weightage criteria. Please provide your answer with suitable justifications. And

Q.13- Draft regulation 25 provides broad rating criteria and distribution of weightage out of total rating score at a scale of 100. Please suggest new criteria or changes in proposed criteria if any, and relevant sub-criteria for each criterion and their sub-weightage against respective main criteria with suitable justifications in context of rating of buildings for digital connectivity.

RJIL Response:

The proposed revised criterion with justification is provided below

Criteria No.	Main Criteria	Weightage	Sub-Criteria Name: sub-weightage	Sub-Criteria Name: sub-weightage (Revised)	Justification
1	Compliance to Model Building Bye Laws (MBBL) for digital connectivity	20 10		This is a mandatory and qualifying requirement and non compliance can lead to rejection from rating process	

Criteria No.	Main Criteria	Weightage	Sub-Criteria Name: sub-weightage	Sub-Criteria Name: sub-weightage (Revised)	Justification
2	Provision in civil infrastructure, over and above MBBL requirements, for ensuring robust digital connectivity	10	Protection measures for digital communication infrastructures against intrusions, floods and also measures for the safety of the users	Protection measures for digital communication infrastructures against intrusions, floods and also measures for the safety of the users	No Change
3	Provision in power infrastructure, over and above MBBL requirements, for ensuring reliable digital connectivity	10	(i) Alternate power source (ii) UPS power availability (iii) Power backup availability (iv) Power backup (in Hrs.)	No. of Hours of Power backup availability- Weightage 0-2 Hrs- 2; 2-5 Hrs- 5; 5-8 Hrs - 8 and 8 Hrs and above- 10	The weightage should be objective and based on the basis of backup power availability for DCI in common area
4	Digital Connectivity Infrastructure Resilience	10	(i) Alternate entry paths (ii) Non-flooding measures for telecom equipment room (iii) Alternate power path	(i) Alternate entry paths (ii) Non-flooding measures for telecom equipment room (iii) Alternate power path	Each of the mentioned measure should amount to 3 weightage points and availability of all should be 10 points
5	Future Readiness of Digital Connectivity Infrastructure	10	Whether Digital Connectivity Infrastructure can accommodate future wireless and wireline technologies	Whether Digital Connectivity Infrastructure can accommodate future wireless and wireline technologies	No Change
6	Provision of Wired Connectivity infrastructure	10	i) Fibre connectivity ii) Ethernet connectivity	i) Fibre connectivity ii) Ethernet connectivity	Fiber connectivity is the only relevant wireline connectivity measure

Criteria No.	Main Criteria	Weightage	Sub-Criteria Name: sub-weightage	Sub-Criteria Name: sub-weightage (Revised)	Justification
7	Provision of Wireless Connectivity infrastructure	10	(i) Mobile network (ii) Wi-Fi network	(i) Mobile network (ii) Wi-Fi network	Wi-Fi network would be riding on wireline or wireless connectivity
8	Provision of Fixed Wireless Connectivity infrastructure	10	New addition	Infrastructural support for Fixed wireless access network (ii) Wi-Fi network	New addition
9	Availability of Service Providers	10	(i) No. of ISPs having integration with Digital Connectivity Infrastructure (ii) No. of TSPs having integration with digital connectivity infrastructure	No. of TSP/ISPs having integration with Digital Connectivity Infrastructure: 1-2: 5 Points ; 3 and above -10 points	Availability of at least 3 TSP/ISP for digital connectivity should suffice for 10 weightage points
10	User Experience	10	(i) Subjective assessment i.e., user feedback (ii) Objective assessment i.e., network coverage, average latency and average data rates for wireline and wireless network	(i) Subjective assessment i.e., user feedback (ii) Objective assessment i.e., network coverage, average latency and average data rates for wireline and wireless network	Subjective assessment has no role in a rating mechanism

Q.5- What should be the template and minimum score for award of ratings i.e., star-based ratings or any other template like Platinum, Gold, Silver, and Bronze? Please justify your suggestions.

RJIL Response:

We submit that the star-based rating system is most widely used, understandable and popular rating mechanism, which is also used in hotel industry and in rating of consumer appliances. We recommend for adoption of this criterion, and we agree with the rating proposed in the regulation i.e. 5 star rating for more than 85 score and one star rating for less than 40 score.

Q.6- The proposed workflow and process of Rating of Buildings for digital connectivity is given in Section-8 of this Chapter. Kindly provide your comments or suggestion for improvement of the proposed workflow and process of rating with justification, if any.

RJIL Response:

1. Authority's progressive step of making the process online, timebound with nominal registration fee is commendable. Another positive step is that the due diligence is done in 2-stages and the property manager is given an opportunity for corrective action. We submit that the process flow in current form suffices to meet requirements and any changes may be contemplated only in case of any snags or failure.
2. However, it would not be out of place to mention here that the DCRA selection has been kept in the purview of property manager (as per section 4.4.3.3) for the rating, which may lead to partisan / negotiated due diligence. The Authority is requested to address this issue and ensure that a neutral or automated assignment is done.
3. Further, the TSP should have rights to ask for a review of any property's rating if the requisite parameters are not fulfilled despite the rating of the property by DCRA.

Q.7- Do you agree with the eligibility conditions for registration of DCRA, proposed in regulation 4? If no, what additional eligibility conditions for registration of DCRA may be incorporated, considering the present rating ecosystem in other domains in the country, with suitable justifications?

RJIL Response:

1. We agree with the proposed eligibility criteria on a broad level. However, as mentioned above, we believe that it is important to have knowledge of telecom networks and experience to installing DCI for a DCRA, therefore, the sub-regulation 1(d) may be modified accordingly.

2. Further, in case the idea is of decentralization of rating process to cover large number of buildings in short time, the minimum net worth of Rupees 2 crore may become prohibitive and suitable changes should be made in the same.

Q.8- Do you agree with the process of registrations of DCRA proposed under regulation 7? If not, kindly suggest proposed changes with justifications.

RJIL Response:

We agree with the process of registration of DCRA, it is quite clear and uncomplicated, and applicants should be able to follow the same easily.

Q.9- Please suggest code of conduct for DCRA's proposed to be included under regulation 8 including the criteria for fees to be charged by DCRA's from Property Managers for different types of Buildings.

RJIL Response:

The model code of conduct for DCRA's should involve following basic principles.

1. Independence and no conflict of interest:

- a. DCRA should have periodic process driven review of the steps to be followed by its agents/employees in rating to avoid any influenced or pattern-based rating.
- b. DCRA should establish policy and procedures for reviewing the work of its agents/employees to ensure independence of assessment work and no external influences.
- c. DCRA should ensure objectivity of rating process, by removing vested interests and ensuring no employee-Property Manager informal interaction.
- d. DCRA should not rate a property manager that has a stake in the DCRA or its associated business.
- e. It should be an ISO certified agency. This will ensure that they have various quality parameters in place.

2. Maintaining Quality of the Rating Process:

- a. DCRA should ensure that ratings are process driven and its agents/employees do not offer any services to improve ratings.

- b. DCRA should ensure that the information used for rating is not contaminated in any way.
- c. DCRA should institute a formal system of any revision of ratings and maintain complete separation of personnel for review work.

3. Transparency:

- a. DCRA should maintain verifiable, quantifiable historical information about its ratings.
- b. All information furnished to TRAI regarding rating decisions should be made publicly available.
- c. DCRA should make available its code of conduct on its website.

4. Privacy and Data Security and legal compliances:

- a. DCRA should ensure privacy and security of data collected during the rating process.
- b. DCRA should comply with applicable data protection laws and industry standards.
- c. DCRA should operate in full compliance with all relevant laws, regulations, and industry standards.

Q.10- Do you agree with the general obligations of DCRA provided in Section III of the draft regulations? If not, please provide suggested changes with justifications.

RJIL Response:

We submit that the general obligations of DCRA, including the Code of Conduct, Disclosure of fees etc., Evaluation & Award of Ratings, Monitoring of Ratings, Retention of Records and Audit of DCRA, as provided under draft Regulations is sufficient.

Q.11- What should be the terms & conditions for the Property Managers to ensure use of ratings awarded to their buildings, in legalised manner?

And

Q.12- Please suggest changes, if any, in the general obligations of Property Managers, provided under Section IV of draft regulations, with justifications.

RJIL Response:

1. We believe that the regulations could have become more nuanced had the Property Managers participated in the consultation process. Nevertheless, we request the Authority to make all possible efforts, including through other regulators, to involve the Property Managers.
2. Further, we submit that at this stage, one major challenge would be to break the inertia and bring the Property Managers onboard this process, thus there is no need for extensive restrictions on the Property Managers.
3. Furthermore, in order to protect the sanctity of the process and to enable the Property Managers to leverage the positive ratings, it would be important to ensure that there is a legal arrangement between DCRA and Property Manager on display and usage of ratings.
4. The general obligations of the Property Manager in Section IV of draft regulations seem reasonable and sufficient to the requirements of the process and would enhance the creation of DCI in new and old buildings and do not require any change at this time.

Q.14- The score threshold for ratings is provided in draft regulation 26. Do you agree with the proposed thresholds? If no, please suggest changes with justification and global references, if any.

RJIL Response: We agree with the score threshold for ratings is provided in draft regulation 26.