

**ISPL/ TRAI/01/2017**

August 27, 2017

To,  
Prof. M. Kasim, Advisor (B&CS)-III,  
Telecom Regulatory Authority of India,  
Mahanagar Doorsanchar Bhavan, Old -Minto Road,  
Near Zakir Husain College, New Delhi – 110003

**Subject : Our response in a capacity of Infrastructure Provider to TRAI  
Consultation Paper no. 8/2017 on “ Ease of Doing Business  
in Broadcasting Sector ”**

Dear Sir,

We congratulate the Authority to have come out with this consultation paper on the matter captioned above and sincere thanks for providing us the opportunity to submit our response on this important issue.

We have enclosed our comprehensive response for your consideration. We believe that the Authority would consider our response in positive perspective and incorporate the concerns of **IP-I Companies** on the subject matter and **provides relief to IP-I Companies as prayed hereinafter.**

Looking forward for your consideration with Justice. Thanking you,

With Best Regards,

For **Infrasys Solutions Private Limited**

- Sd -

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Encl: 1. Comments with prayers total 6 pages including this one  
2. DoT orders dtd 9/3/2009 & 28/11/2016 both in a single PDF File.



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## COMMENTS ON “ Ease of Doing Business in Broadcasting Sector ”

### ISSUE FOR CONSULTATION

**Q18. Stakeholders may also provide their comments with justification on any other issue relevant to the present consultation paper.**

Following is the most important issue made out by us in this regard and issue is followed by Our Comments & Recommendations with Prayers :

### ISSUE & COMMENTS :

HURDLES FOR INFRASTRUCTURE PROVIDER – I i.e. IP-I COMPANIES INTRODUCED BY DEPTT OF TELECOMMUNICATIONS IN DEPLOYMENT OF **Fiber-To-The-Home ( FTTH )** NETWORKS @ END USER PREMISES TO DELIVER SERVICES OF **CABLE TV & IPTV** SERVICES OF MULTIPLE SERVICE PROVIDERS WITH COMPETITION.

END USER NETWORK LIKE **Fiber-To-The-Home ( FTTH )** with **GPON Technology** can deliver Broadband @ maximum speed upto 1024 Mbps i.e. 1 Gbps to each End User and can deliver multiple services of Multiple Service Providers to End User Simultaneously.

e.g. Suppose Broadband services of 10 Service Providers, IPTV services of 5 Service Providers, Telephone Services of 4 Service Providers and Cable TV Service of 1 Service Provider have landed @ the Central Office of a **FTTH NETWORK** then the End User can enjoy Simultaneously upto different 4 Data Services ( Broadband & IPTV ), different 2 to 4 Telephone Services & Cable TV service.

COMPANIES REGISTERED AS **IP-I** WERE AUTHORIZED BY DEPTT OF TELECOMMUNICATIONS TO CREATE ACTIVE INFRASTRUCTURES ON BEHALF OF SERVICE PROVIDER LICENSE HOLDERS VIDE ITS LETTER NO.10-51/2008-CS-III DTD 9<sup>TH</sup> MARCH 2009 & HAVE ALSO INFORMED **TRAI** OF THE SAME.

ACCORDINGLY WE HAVE DEPLOYED THE **FTTH NETWORKS** @ 2 RESIDENTIAL PROJECTS AT PUNE, MAHARASHTRA DELIVERING MULTIPLE SERVICES THROUGH A SINGLE NETWORK HAVE BEEN DELIVERED TO THE END USER

**ON OF SUDDEN** THE DEPPTT OF TELECOMMUNICATIONS VIDE ITS LETTER NO. 10-40/2007-CS-III DTD. 28<sup>TH</sup> NOVEMBER 2016 HAVE INFORMED THAT ACTIVE ELEMENTS IN ACTIVE INFRASTRUCTURES MUST BE OWNED BY THE SERVICE PROVIDER LICENSE HOLDERS ONLY AND HAVE INSTRUCTED **IP-I** COMPANIES TO GET EITHER THE NECESSARY LICENSE (**VNO**) OR TO TRANSFER THE SAME TO A VALID SERVICE PROVIDER LICENSE HOLDERS.

**WHILE COMING TO THIS DECISION**, THE DEPPTT OF TELECOMMUNICATIONS HAVE NOT SOUGHT FOR ANY APPROVAL OR RECOMMENDATION FROM **TRAI** NOR HAVE GIVEN OPPORTUNITY TO THE **IP-I COMPANIES** TO FILE THEIR SAY FOR THE SAME. IT IS OBVIOUS THAT THIS DECISION WAS TAKEN BY THE DEPPTT OF TELECOMMUNICATIONS IN HURRY & IN A SUSPICIOUS MANNER THERE BY MAKING AN SERIOUS ATTEMPT FOR TURNING **DIGITAL INDIA MOVEMENT** A CERTAIN FAILURE.

WHILE COMING TO THE ABOVE SAID DECISION, THE DEPPTT OF TELECOMMUNICATIONS HAVE NOT GAUGED THE **ADVERSE-EFFECTS** OF THE DECISION THEREBY CAUSING DAMAGE THE PROGRESS IN THE DEPLOYMENT OF **FTTH NETWORKS & THEREBY CREATION OF MONOPOLY OF TELECOM SERVICE PROVIDERS**.

**FTTH NETWORKS HAVE CAPACITY TO SHARE DIFFERENT SERVICES OF MORE THAN 50 SERVICE PROVIDERS THROUGH A SINGLE NETWORK. HANDING OVER THE OWNERSHIP OF THESE NETWORKS TO A SINGLE SERVICE PROVIDER WILL COMPLETELY DEFEAT THE PURPOSE OF DEPLOYMENT OF FTTH NETWORKS. THIS DECISION OF THE DEPPTT OF TELECOMMUNICATIONS WILL RESULT IN CREATING THE CERTAIN MONOPOLY OF A SINGLE SERVICE PROVIDER OWNING THE FTTH NETWORK.**

**IN THIS CASE, THE SCENARIO WILL BE, EVERY SERVICE PROVIDER WILL TRY TO SET-UP HIS OWN NETWORK AS AT END USER PREMISES THERE WILL BE DIRECT COMPETITION AMONG THEM & SHARING OF INFRASTRUCTURES BY THEM WILL BECOME NEXT TO IMPOSSIBLE.**

**FROM THE SAID DECISION, IT IS OBVIOUS THAT END USERS WILL NOT GET ENOUGH CHOICE IN SERVICES. IP-I COMPANIES, NOT BEING SERVICE PROVIDERS, WILL CERTAINLY TRY TO GIVE MORE OPTIONS TO**



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**THE END CUSTOMERS THEREBY CREATING COMPETITION AMONG SERVICE PROVIDERS AS THEIR INTERESTS WILL BE LIMITED.**

**IF IP-I COMPANY AVAILS A SERVICE PROVIDER LICENSE, THEN IT WILL PROVIDE ITS OWN SERVICES AND THAT TOO WILL LEAD TO CREATION OF MONOPOLY.**

**FTTH NETWORKS ARE ALSO USEFUL TO INTEGRATE THE CCTV NETWORKS, SMART ELECTRICITY, WATER & GAS METERING SYSTEM. THERE ARE MANY MORE ADVANTAGES IN DEPLOYMENT OF FTTH NETWORKS IN ADDITION TO SERVICES OF INTERNET, TELEPHONE & VIDEO. BUT THE SERVICE PROVIDERS WON'T BE THAT MUCH INTERESTED IN INTEGRATING THESE SOLUTIONS AS THEIR CORE BUSINESS BEING DIFFERENT.**

**THE FTTH NETWORKS WERE INTRODUCED ALMOST A DECADE AGO BUT IT IS EVIDENT THAT THE DEPTT OF TELECOMMUNICATIONS NOR TRAI HAVE CHALKED OUT A ROADMAP FOR PROMOTION OF DEPLOYMENT OF FTTH NETWORKS & SURPRISINGLY THE DEPTT OF TELECOMMUNICATIONS IS TRYING TO CURB THE GROWTH OF FTTH NETWORKS FOR THE REASONS BEST KNOWN TO THEM BY PUTTING RESTRICTIONS ON IP-I COMPANIES.**

**END USER FTTH NETWORKS ARE THE MOST ECO-FRIENDLY NETWORKS, WHERE MINIMUM USE OF OPTIC FIBER & COPPER CABLES IS DONE. SHARING THESE NETWORKS BY MULTIPLE SERVICE PROVIDERS DIRECTLY REDUCES THE NO. OF REPEATED NETWORKS & FTTH NETWORK DO NOT HAVE LIMITATION ON NO. OF SERVICE PROVIDERS FOR SHARING THE SAME.**

**MORE-N-MORE DEPLOYMENT OF FTTH NETWORKS IS THE NEED OF FUTURE & THE MOST IMPORTANT STEP TO ACHIEVE GOAL OF DIGITAL INDIA. THE POLICY OF DEPTT OF TELECOMMUNICATIONS IN THIS REGARD IS AWFUL.**

**WE HAVE SPENT HUGE AMOUNTS FOR AWARENESS OF FTTH NETWORKS IN CONSTRUCTION INDUSTRY AND HAVE SUFFERED LOSSES ONLY TILL DATE. STILL WE HAVE INVESTED FOR THE SAME BY KEEPING IN MIND THE IMPORTANCE OF SUCH NETWORKS IN FUTURE.**



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**WE HAVE DEPLOYED FTTH NETWORKS @ 2 PROJECTS IN PUNE ONLY AFTER OVERCOMING A LOT OF CHALLENGES & DEPTT OF TELECOMMUNICATIONS HAVE SUDDENLY BROUGHT OUR INVESTMENT & ENDLESS EFFORTS OF ALMOST FIVE YEARS IN DANGER ALONG WITH OUR UPCOMING DEPLOYMENTS.**

### **OUR RECOMMENDATIONS & PRAYERS :**

- 1. THE IPTV SERVICES WERE NOT A SUCCESS WHEN THEY WERE LAUNCHED A DECADE AGO, AS THE OPTIC FIBER CONNECTIVITY WAS POOR AT THAT TIME. HENCE A DEFINITE TIME-BOUND POLICY MUST BE MADE AT EARLIEST TO PROMOTE THE FTTH NETWORKS FOR DELIVERING THE SAME OF MULTIPLE IPTV SERVICE PROVIDERS TO END USERS AFTER HEALTHY COMPETITION IN THE BEST INTERESTS OF THE END USERS.**
- 2. MORE-N-MORE DEPLOYMENT OF FTTH NETWORKS WILL ALSO DELIVER THE BROADBAND & TELEPHONE SERVICES OF MULTIPLE SERVICE PROVIDERS TO END USERS AFTER HEALTHY COMPETITION THAT TOO IN THE BEST INTERESTS OF THE END USERS.**
- 3. TRA IS HUMBLY REQUESTED TO CONVERT THIS APPLICATION OF COMMENTS ON ITS CONSULTATION PAPER INTO SUE-MOTTO PETITION IN THE LARGER INTEREST OF THE PUBLIC TO DECIDE THE POLICY TO PROMOTE THE DEPLOYMENT OF FTTH NETWORKS AT THE EARLIEST.**
- 4. THE IMPLEMENTATION OF THE CLARIFICATION / ORDER OF THE DEPTT OF TELECOMMUNICATIONS VIDE ITS LETTER NO. 10-40/2007-CS-III DTD 28<sup>TH</sup> NOVEMBER 2016 MAY BE STAYED WITH IMMEDIATE EFFECT TILL THE TRA DECIDES THE SAME ON GIVING HEARING TO THE IP-I COMPANIES.**



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5. **THE IP-I COMPANIES MUST BE ALLOWED TO DEPLOY THE ENTIRE FTTH NETWORK ALONG WITH ALL ITS ALLIED ACTIVE DEVICES, IF ANY, OWNED BY THEM IN ORDER TO PREVENT THE CREATION OF MONOPOLY OF SERVICE PROVIDERS TO MAINTAIN COMPETITION IN THE LARGER INTEREST OF PUBLIC.**
6. **FTTH NETWORKS ARE MERE PASSIVE TRANSMISSION SYSTEMS/NETWORKS AND ANY DEVICES/ ELEMENTS USED IN FTTH NETWORKS NOR THE ENTIRE NETWORK WITH ITS DEVICES DOES NOT HAVE THE CAPACITY TO TRANSMIT ON A STAND-ALONE BASIS AS THEY ARE PASSIVE ELEMENTS ONLY.**

**THESE NETWORKS BECOMES ACTIVE ONLY WHEN THE TELECOM SERVICE PROVIDERS PLUGS IN THEIR INPUTS.**

**THE DEPTT OF TELECOMMUNICATIONS HAVE ALREADY CONFIRMED & AGREED UPON THE SAME IN CASE OF ELEMENTS BEING DEPLOYED AT MOBILE TOWER SITES.**

**HENCE THE FTTH NETWORKS WORK ON GPON TECHNOLOGY ( GIGABIT-PASSIVE-OPTICAL-NETWORK TECHNOLOGY ) AND HENCE THE MUST BE DECLARED AS PASSIVE INFRASTRUCTURES IMMEDIATELY IN ORDER TO PUT AN AMBIGUITY OVER THE SAME.**

7. **ANY OTHER SUITABLE DIRECTIONS/ DECISIONS/ RECOMMENDATIONS MAY ME MADE BY **TRAI** IN THE LARGER INTEREST OF PUBLIC.**

For **Infrasys Solutions Private Limited**

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