



MTNL/RA/TRAI Consultation/2017
Dated 25.04.2017

23

To,

The Advisor (NSL)
TRAI, New Delhi

Sub. : TRAI Consultation dated 14.03.2017 on "Ease of Doing Business".

TRAI issued Consultation paper on 14.03.2017 on the aforesaid subject and asked the various stakeholders to comment on the issues involved in the consultation paper. In this reference following comments are submitted for consideration:

A. SACFA Related Issues:

The SACFA clearance from WPC for mobile tower sites are quite cumbersome and time consuming, which creates trouble in network setup/expansion. It is suggested that time bound clearance approach may be adopted for SACFA clearance of the sites, e.g. say within 30-45 days after submission of all the desired document by a TSP in WPC.

B. Rollout Obligation:

1. Govt. owned PSU like MTNL / BSNL etc. may be exempted from depositing PBGs / Addl bank guarantees for meeting rollout Obligation of various licenses.
2. The following issues act impediments and thereby cause delay in Roll out obligations:
 - obtaining NOC from local/state authorities for erection of tower/laying of cable.
 - obtaining Electricity connectivity.
 - NOC for Pollution Board.

C. AGR (Annual Gross Revenue) :

1. License fee should be calculated only on the basis of revenue generated from telecom operations.
2. Implication of IndAS on AGR calculation. As with implementation of IndAS w.e.f. 01/04/2016, there are notional interest income accounting on account of discounting of long term financial instruments i.e. Security deposits, notional interest income on loans & advances to employees, and long term recoverable etc. In other words, the receivables will be discounted to present value on estimation of period/date of recovery & simultaneously interest is added to such discounted receivable resulting into nullification of discounted amount through interest addition. These are merely accounting adjustments for Ind AS compliance without any cash inflow/revenue generation. Therefore, these may be kindly allowed as exemption/ deduction from AGR and for payment of license fee & Spectrum charges accordingly.

D. Active Infrastructure sharing:

As per present policy, active sharing is allowed but limited to Antenna, feeder Cable, Node-B, Radio Access Network (RAN) & transmission system only. Further, sharing of core network infrastructure between the TSPs is not allowed. However like some of the private TSPs who are sharing their active infrastructures like IN / SMSC etc. under the concept of Group company, MTNL & BSNL both being owned by the Govt. may also be allowed to share their active infrastructures including core network to reduce investment & optimum utilization of available resources.

E. Spectrum Sharing:

For efficient & optimum utilization of RF spectrum which is scarce national resource, spectrum sharing may be allowed to the incumbent TSPs irrespective of the fact that the spectrum being held by them are liberalized or non liberalized.

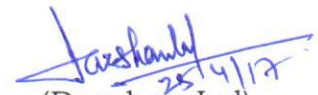
Further, in case of both TSPs holding non liberalized spectrum, , the requirement of submission of bank guarantee for an amount equal to the demand raised by DoT for one time spectrum charges pending final outcome of court case, may also be removed.

F. EMF radiation at shared sites:

As per existing provisions for measurement of EMF radiations from Mobile Base Station Antennas issued by TEC in Sep'2012, in case of overall non compliance of shared mobile sites, penalty is being imposed on all the participating operators. In this arrangement, those TSPs are also being penalized unnecessarily, who are radiating within the prescribed limit at these shared sites in case the overall radiation limit is exceeding the limit. **Accordingly, in shared sites, only those TSPs may be punished / penalized who exceeds the EMF radiation limit and not all the participating sharing partners.**

G. Cable network management:

There should be clear guidelines regarding the RoW, and framework should be established for provision of cable laying infrastructure for TSPs, along highways and electric transmission networks of electric transmission companies.


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