

Nelco Response wrt
Consultation Paper on Ease of Doing Business in Telecom and Broadcasting Sector

At the outset, we wish to welcome & thank TRAI for coming up with this Consultation Paper. Nelco as satellite communication service provider (SCSP), in the past also has emphasised the need to simplify the process and making it more transparent to improve the timelines for getting the required approvals for operating its services.

The SCSP liaisons with multiple departments like Apex Committee, WPC, NOCC, DOS, NSIL, Antrix etc, which takes few months, to get the regulatory approvals to not only start new services/bandwidth but even for augmentation of the existing services or satellite transponder capacity. We hereby take this opportunity to provide our inputs for few relevant questions related to satellite services, as given below:

Q9. Whether the present system of licenses/clearances/certificates mentioned in para no. 3.94, or any other permissions granted by WPC, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:

- a. Simple, online and well-defined processes
- b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any
- c. Precise and well-documented timelines along with the possibility of deemed approval
- d. Well-defined and time bound query system in place
- e. Seamless integration and approvals across various ministries/departments with the end-to-end online system
- f. Procedure, timelines and online system of notice/appeal for rejection/cancellation of permission/approval.

Give your suggestions with justification for each permission/approval separately with detailed reasons along with examples of best practices if any.

Nelco Response –

- i) **Decision Letter:** Usage of additional satellite capacity/ addition of new satellite gateway is important for business and the Decision letter issuance process is cumbersome and takes a lot of time, which in many occasions runs into months. The delay in obtaining Decision Letter adversely impacts roll out of network as well business expansion plans. Currently even augmentation of additional capacity by the service provider needs to go through the same process, although the teleports and the initial capacity on the specific was already approved prior to start of the services.

Antrix/ NSIL charges from the date of allocation of the capacity/frequency but the subsequent clearance/ approval process runs into many months, which is a

financial loss to the service provider. Reasons for delays in the issuance of DL may be as follows:

- a) **Lack of Delegation:** Application for any new frequency assignment for added satellite capacity (Decision letter) needs to be approved at the level of The Secretary (Telecom). The file is routed through various internal departments including Finance department and respective CCA's for no dues certificates. A lot of time is taken in inter-departmental coordination. As a service provider we should be provided approvals to add satellite capacity in a fixed time frame and inter department coordination within DoT to be streamlined. An example could be that upon completion of Annual audit of SCSP, CCA can extend No dues on their intranet portal, enabling Finance department to give their concurrence faster.

- b) **Window opening & Closing system for frequency assignments-** It is a **big challenge** for Service providers to keep a close watch on the window timelines for any of their business plan. For the last 9 years spectrum assignment window is opened on ad-hoc basis with the approval of the Hon'ble Minister of Communications. This window is opened for period of 3-6 months. Applications (of the Service providers) do not move within the department if window for approval is closed. Moreover, even if an application is made while the window is open, but the approval doesn't come before the window closes, then the Service provider has to wait till the window opens again to get the necessary approvals. This delays entire process of assignment of spectrum. There is a need of a more practical and industry friendly policy on the administrative assignment for spectrum.

- c) **Carrier by Carrier assignment instead of Frequency Block assignment** - In the case of satellite spectrum, the satellite is operating in a band and frequency as defined in the National Frequency Allocation Plan (NFAP). If any satellite does not adhere to this plan, DOS does not permit the satellite operation in the country. WPC assigns the spectrum to earth stations, which is nothing but a "right-to-use" spectrum to access the satellite. Such spectrum assignment is internationally done as a block and not carrier by carrier. WPC should issue the DL confirming the block assignment to Satellite Operator and also endorse the carrier plan approval provided by NOCC /Satellite operator. There is no requirement for WPC to do a carrier by carrier assignment defining the EIRP and other parameters on a per carrier basis, which is the current practice leading to major delays.

- ii) **Demo License:** with advancement of new technologies, field trials and Demos are becoming very common. As such the approval should be more on the declaration basis rather than waiting for 3-6 months for approvals, which is the current situation.

- iii) **SACFA clearance** for remote terminals is being done online, whereas Operating license for remote satellite terminals is yet to be integrated with Saral Sanchar Portal. We therefore request to make a light touch process for issuing operating license for remote VSATs. Once SACFA is cleared, the SCSPs should be able to upload requisite undertakings and download operating license for the remote sites. **We suggest to remove the RF serial number while issuing operating license for VSAT terminals.** The reason being that it is difficult to maintain the records with WPC. The RF are electronics items and hence more prone to failure over a period and these need to be replaced with spares. In such scenarios, the initial RF serial number mentioned at the time of getting operating license gets changed at site & it anyway does not serve to the purpose of capturing RF serial number while issuing operating license.

- iv) **WoL for Remote Terminal:** Operating license for remote VSAT terminal and endorsement of Maritime vessels and aircrafts under IFMC authorisation should be made online and should be submitted to the department for their information and records.

Q10. Whether the present system of permission/approval mentioned in para no. 3.101, or any other permissions granted by NOCC, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:

- a. Simple, online and well-defined processes
- b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any
- c. Precise and well-documented timelines along with the possibility of deemed approval
- d. Well-defined and time bound query system in place
- e. Seamless integration and approvals across various ministries/departments with the end-to-end online system
- f. Procedure, timelines and online system of notice/appeal for rejection/cancellation of permission/approval.

Give your suggestions with justification for each permission/approval separately with detailed reasons along with examples of best practices if any.

Nelco Response –

- i) **Online System –** There should be an online portal for application submission and response to any query should be given in a time bound manner. The portal must have the options to upload the necessary files required for approval. Entire online

process should get completed within 7 working days. In case of any query and response, that also should get completed with 14 working days.

- ii) **MPVT** – NOCC checks the antenna performance before it is operational. In case Antenna pattern, CPD etc. are not within defined range, it will impact the satellite performance and the satellite operators will be the most impacted party. We suggest that the existing process for MPVT to continue.

- iii) **Carrier plan and uplink permission**

We understand that the need for the carrier plan approvals from NOCC is to ensure that –

- a. The RF power of the configured network is within the power limits provided by the Satellite Operator, as higher power consumption will cause issues to the Satellite performance
- b. The configured carriers should not cause interference to the Adjacent Satellites, which are coordinated by the Satellite Operator

We suggest that NOCC should play the role of governance and the responsibility of the carrier plan approval should rest with the Satellite Operator. Frequency allocation at block level, instead of carrier-by-carrier level may be approved by WPC/NOCC to Satellite Operator. The Satellite operator while allocating the capacity to the Service Provider (via NSIL) should approve the carrier plan along with the capacity. The approved carrier plan should be provided to NOCC & WPC for record purposes and future reference.

- iv) **Resolution of RF interference**

As NOCC is a central authority for governance, the resolution of RF interference amongst the DoT licensed providers should be co-ordinate by NOCC as per the existing practice.

- v) The process of issuance of Uplink permissions should be done away with. The WOL issued by WPC should be considered as the final step for uplinking.

Q-11. Whether the present system of permissions/approvals mentioned in para no. 3.107 or any other permissions granted by TEC, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:

- a. Simple, online and well-defined processes
- b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any
- c. Precise and well-documented timelines along with the possibility of deemed approval
- d. Well-defined and time bound query system in place
- e. Seamless integration and approvals across various ministries/departments with the end-to-end online system

f. Procedure, timelines and online system of notice/appeal for rejection/cancellation of permission/approval.

Give your suggestions with justification for each permission/approval separately with detailed reasons along with examples of best practices if any.

Nelco Response –

TEC plays two important roles

- Publishing of IR documents that defines the various specifications
- Mandatory Testing & Certification of Telecom Equipment (MTCTE)

For the IR document, the stakeholder consultation happens offline currently. We suggest that the same should be made online so that the comments provided by various stakeholders are transparently made available to for everybody to see.

For MTCTE approvals, if equipment is globally approved/used and certified, then TEC should accept the same. For this, TEC guideline can be followed, and necessary document can be submitted to TEC for approval.

1. The equipment manufacturers do extensive testing including those specified under MTCTE for satellite equipment, like EMI/EMC & safety parameters etc, either by themselves or by accredited certification agencies. TEC should accept such already available certificates.
2. The satellite hubs and related RF that are deployed or that will be deployed in India in future are very few in number. The efforts as well as the fees of testing is not commensurate with the quantities. Thus, it is requested that the satellite hub equipment including associated RF should be exempted from the scope of MTCTE.
3. As regards to the Customer Premises Equipment (CPE), all the service providers put together on an average deploys ten to fifteen thousand terminals per annum as on date. However, the deployment of CPE may increase substantially with the advent of GSO-HTS/ upcoming NGSO. It is our request that for next one year, self-certification/accredited lab certification should be accepted.

Q12. What measures should be taken to ensure that there is no duplicity in standards or in testing at BIS, WPC, NCCS, and TEC? Which agency is more appropriate for carrying out various testing approvals? Provide your reply with justification.



Nelco Response – Most of the present standards & approvals for the VSAT Service Providers are handled by the TEC, NOCC and WPC. We don't envisage any duplicity in standards or in testing at various agencies.

BIS pertains to testing and certification of IT equipment. Since many of the hub/gateway components are constructed using industry standard IT equipment, any equipment that is approved by BIS should not be put through any additional testing/certification as far as MTCTE is concerned.

NCCS: The security parameters are not yet defined w.r.t satellite equipment. However, it needs to be ensured that there is no overlap with the testing/certification by National Security Directive on the Telecom Sector (NSDTS).

Q13. Whether the present system of getting fresh and additional space segment capacity on Indian and foreign satellites for various services mentioned in para no. 4.15 or any other new service from DOS, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of

- a. Simple, online and well-defined processes
- b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any
- c. Precise and well-documented timelines along with the possibility of deemed approval
- d. Well-defined and time bound query system in place
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Give your suggestions with justification for each permission/approval separately with detailed reasons along with examples of best practices if any.

Nelco Response – The process for commissioning of new network with capacity allocation on a new Satellite is provided in detail in point 4.9 and figure 4.3 of the consultation paper. The journey of the capacity allocation on a] new satellite starts from the time the Service Provider puts up a request to Apex committee for In-Principle approval and after getting the approval puts up request for capacity allocation to the Department of Space (DoS). Once the DoS allocates the capacity to the Service Provider and after going through various departments and approvals, the journey is completed when the Department of Telecommunication allows the capacity to be actually used by the Service Provider. It is quite obvious that the process is quite lengthy, and the timelines are very high for the Service Provider to actually commission and activate the capacity for commercial use.

Today's market conditions are very dynamic, and the customers insist that the bandwidth to be made available to them immediately when demanded by them. The current process needs to be aligned to the market needs in terms of timelines for getting these approvals.

We understand that the need for the approvals from various departments of the DoT is to ensure that –

- c. The RF power of the configured network is within the power limits provided by the Satellite Operator, as higher power consumption will cause issues to the Satellite performance
- d. The configured carriers should not cause interference to the Adjacent Satellites, which are coordinated by the Satellite Operator
- e. Due diligence for approval of the Teleport location from security point of view

The processes aligned to points a & b are mostly looked into by the NOCC and WPC wings under DoT. The NOCC and WPC have bigger roles to play, and they should ideally play the role of governance for these points. These processes can be shortened and simplified, if the responsibility of the carrier plan approval is placed with the Satellite Operator. **The process for new Satellite capacity allocation** can then be amended as provided in Figure 1.1 –

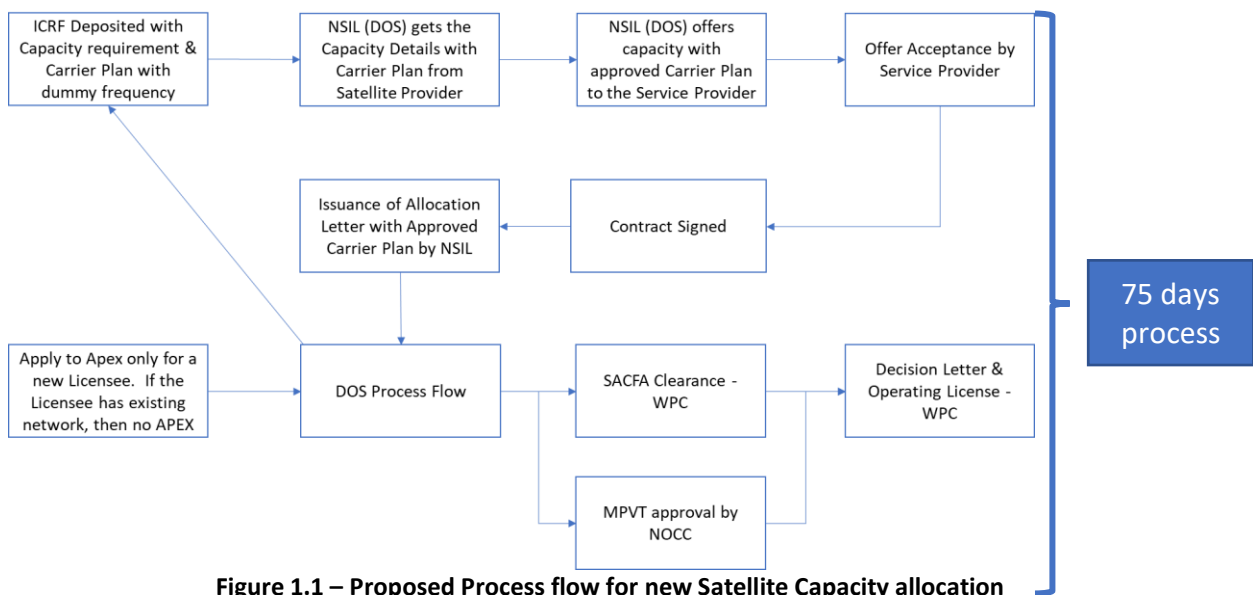


Figure 1.1 – Proposed Process flow for new Satellite Capacity allocation

We suggest that the In-principle clearance should happen within 30 days of application put up by the Service Provider. Once the In-principle approval is provided, the applicant should be allowed to import the equipment, if required. The overall process for capacity allocation thereafter should be completed within 45 days after the In-principle approval has been provided to the applicant and request for new space segment has been put up with NSIL.

The above process can reduce the process for capacity allocation on a new satellite to less than 75 days for new Licensees. Any queries by the departments should be raised & resolved within the overall timelines proposed.

The process should be an integrated end-to-end online system which incorporates the different departments of DOS and DOT into a single window of the process. Once the applicant (Service Provider) puts up the request on this online system, the application should

automatically move through various departments of the DOS and DOT without requiring manual intervention of further approvals. The status of the application at every stage should be transparently available for view by the applicants. As far as possible, the departments and the concerned ranks within the departments should be empowered and delegated to authorize and approve the steps under the application. Only in some specific cases, which are typical and non-standard should call for going to higher authorities within the departments for approval. We also believe that the need for taking Uplink Permission after obtaining the Operating License is a redundant step and the process should stop at obtaining the Operating License from the WPC.

The above process will also eliminate the duplicate and unwarranted steps. It will also place the responsibility of Carrier plans and satellite power related issues directly on the Satellite Operators. The Satellite Operators anyhow control and monitor the overall performance of the satellite by managing the Power Equivalent Bandwidth (PEB) across the transponders.

The Carrier Plan can be approved by the Satellite Operators and a copy of the same will be provided to the NSIL, NOCC and WPC for record purpose and future references. Any changes to the Carrier Plan, after the capacity allocation, will again have to be requested by the applicant (Service Provider) and approved by the Satellite Operator and the updated Carrier Plan should be shared with NSIL, NOCC and WPC for record purposes. Hence, this will simplify & shorten the overall process, remove duplicate steps still empower the Departments to have full control and governance for new capacity allocation.

The process for any additional capacity on an existing approved satellite & teleport of the Service Provider should be further shortened. The current process is provided in the consultation paper in figure 4.4. The process can then be amended as provided in Figure 1.2

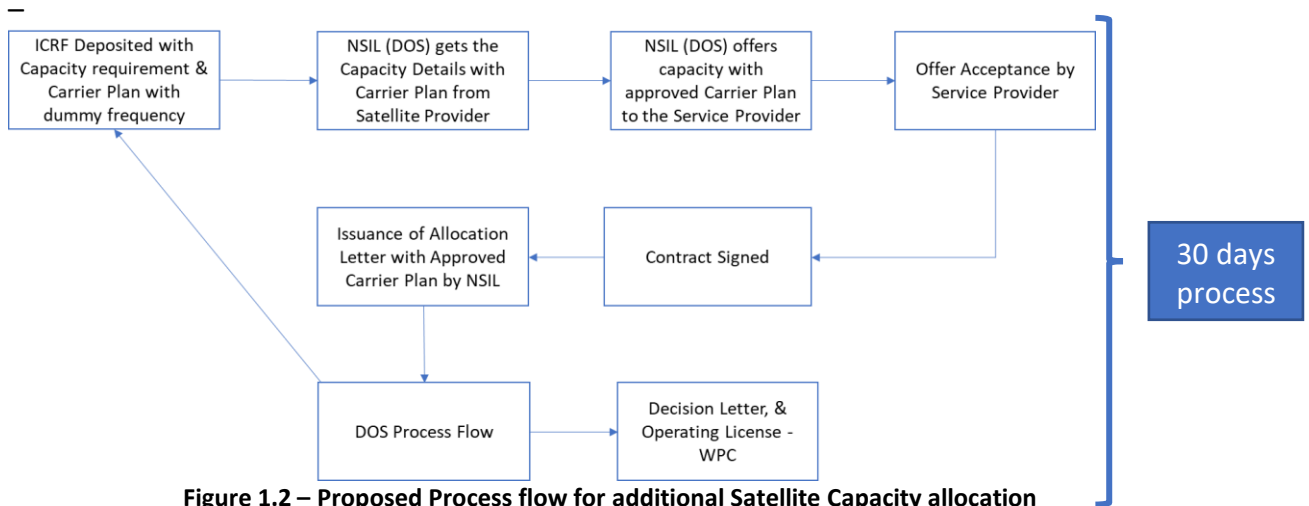


Figure 1.2 – Proposed Process flow for additional Satellite Capacity allocation

This process will ensure that the Service Providers are able to expand their networks quickly and respond to the market and business demands effectively. Since the Teleport is already approved by the DoT and the Carrier Plan is approved by the Satellite Operator, the DoT just needs to provide the Decision Letter & Operating License to permit the Service Provider to use the allocated capacity.

Q14. Whether the existing procedures to acquire a license for providing satellite-based services in the existing framework is convenient, fast, and end-to-end online for the applicants? If not, what other measures are required to simplify the various processes to enable ease of doing business in India for satellite-based services? Give details along with justification.

Nelco Response – Newer satellite technologies like NGSO Services are going to open multiple use cases and effective broadband solution, 4G/5G backhaul, village connectivity and will help to connect remote areas to broadband highway networks in India. Appropriate supportive regulations will help multiple use cases and companies to offer satellite-based services in India.

As it will require to apply & get new license, it is important that the process is simplified and made to be timebound. Following should be considered:

- i) In NGSO satellite, there will be multiple moving satellites w.r.t earth orbit which will require tracking antennas, will have closely associated broadband systems etc. With changing technologies, it will be best that potential interference caused by any user terminal is best monitored by satellite operator itself.
- ii) The operational aspects of NOCC wrt mandatory testing of antenna, continuous tracking wrt interference etc is moved to satellite operator which may carry out the required tests for any new terminal getting commissioned or monitoring of such operational terminals. The compliance may be submitted by service provider wrt such terminals to the authorities.