

**Reliance Communications Ltd (RCOM) Counter response to TRAI's consultation paper on Amendment to the 'Standards of Quality of Service for Wireless Data Service Regulations, 2012'.**

We have gone through the responses of various stakeholders to the Authority's Consultation paper, and have the following counter comments on some of the submissions made by the stakeholders.

At the outset, we concur with the view of other TSPs of not prescribing minimum download speed wrt the data services provided to the customers and request TRAI to continue with the light touch approach on parameter which is beyond the control of the TSPs.

We do not agree with views of some of the consumer organizations and individuals, seeking TRAI to prescribe minimum download speed and mandatory informing customer the min. download speed with each tariff plan.

As mentioned in our response to the consultation paper there are series of factors viz. User Equipment (UE), Access and Core Networks and Web Services Hosting Servers, which could have an impact on the minimum download speed experienced by the customers. **In fact, there are factors like usage environment, user equipment, physical location of the hosting site, optimization and loading capacity of the website server etc which are beyond the TSP control.** Thus, it would be unfair to prescribe the minimum download speed ignoring the practical difficulty faced by the TSPs.

Apart from the above challenges, TSPs are also facing issue like EMF, Row, frequency interference, etc which are impediments in the up-gradation and the maintenance of the network.

Further, we note that some of the individual have requested TRAI to mandate informing of min download speed with each data plan.

In this regard, it is submitted that the minimum download speed that is reported by the service providers in the quarterly reports, is measured in a stationary mode under controlled test conditions as per the measurement methodology and measurement setup as specified by the Authority.

Further, the Standards of Quality of Service for Wireless Data Services Regulations, 2012 (26 of 2012) specifies as below

"Under no circumstances a commercial server (e.g. www.yahoo.com) should be used, since the test conditions for such a server may change over time making later reproduction of the results impossible."

The authority in its regulation recognizes the fact that commercial environment will keep changing over the time. Therefore prescribing/marketing any benchmark based on the test

results performed in the controlled environment will only lead to confusion in the consumer mind, leading to increase in TSP- consumer conflicts.

**Authority will appreciate the fact that Internet is a best effort network** and a wireless environment is again an uncontrolled environment.. Therefore, prescribing the said parameter would be unmerited to the TSPs.

It may also be noted that **given the intense competition nature of the market**, TSPs are under severe **competitive pressure to provide service quality** not only to retain the existing subscriber, but also to attract new subscribers. We therefore believe that Quality of Service (QoS) **ought to continue to be driven by market forces rather than by Regulatory intervention.**

In light of the above, following are recommended:-

- **No binding Benchmarks for minimum download speeds should be prescribed for the data services.**
- **Service providers' should not be mandated to inform the minimum download speed to customers along with each tariff plan.** Any regulatory requirement w.r.t the minimum download speed will create confusion in the customer mind and hence lead to more consumer complaints.
- **The authority is requested to continue with light touch regulation for QoS for wireless data services.**
- Efforts should be made for local hosting of data that could lead to better consumer experience.