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May 17, 2019

To,
Shri U.K. Srivastava,
Principal Advisor (Network, Spectrum & Licensing),
Telecom Regulatory Authority of India (TRAI),
New Delhi

Subject: Comments by Shell India Markets Private Limited with regards to Consultation Paper on Review of Terms and Conditions for registration of Other Service Providers (OSPs)

Dear Sir,

Greetings from Shell India.

At the outset we thank you for inviting responses from OSP stakeholders on various aspects of their telecom connectivity and infrastructure services and the DoT regulations that are currently in effect.

Shell India as an OSP has enclosed responses to the consultation paper published by TRAI and the summary is as below:

1. Captives and Global In-house delivery centers in India serve only their global counter parts – Group companies and Fellow subsidiaries and should be exempted from OSP registrations.
2. Qualifying types of companies under the definition of ITeS should be clarified
3. Logical Partitioning restrictions should be relaxed to be on par with other global countries.
4. Closed User Group communications must be allowed among all types of OSP registrations.
5. Internet Access from a central site in India for all the India sites using a Category A ISP.
6. Centralised PSTN Gateway Access for all India site users.
7. Work from Home restrictions under OSP guidelines should be opened up.

To assist the TRAI to better understand the context of our responses to the TRAI's questions, we also attach additional information below on our views on why OSP regulations should evolve to keep in step with developments in communications and collaboration technologies since the OSP regulations were first introduced.

Thank you for the opportunity to express our requirements and opinions.

Yours sincerely,
Regards,

For Shell India Markets Private Limited
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Q1. Please provide your views on the definition of the Application Service in context of OSP. Whether, the Application Services which are purely based on data/ internet should be covered under Application Service for the purpose of defining OSP.

Shell Response:

OSP regulations need to be made simpler in the interest of ease of doing business resulting in the reduction of the length of the registration process. Also, we would like to highlight that captive centers operating in India as a registered legal entity under Indian Companies Act and that are extensions (Subsidiaries) of Global MNCs use purely data networks including Internet for their business activities. Captive Centers in India that are using data and internet services from authorised telecom service providers in India for service delivery may be exempted from OSP Registrations.

Q2. Whether registration of OSP should be continued or any other regulatory framework should be adopted for OSPs so that the purpose of registration specified by government is met. Please furnish your views with justification.

Shell Response:

OSP registration process, with regards to collection of standard company information can be simplified with the integration of company related information available under various Ministries (Ministry of Corporate affairs, Ministry of Finance etc) which can minimize the information provided under the OSP registration process.

Q3. What should be the period of validity of OSP registration? Further, what should be validity period for the renewal of OSP registration?

Shell Response:

Existing validity periods are acceptable.

Q4. Do you agree that the documents listed above are adequate to meet the information requirements for OSP registration? If not, please state the documents which should be added or removed along with justification for the same.

Shell Response:

We are fine with the checklist of the documentation.

Q5. Do you agree with the fee of Rs.1000/- for registration of each OSP center. If not, please suggest suitable fee with justification.

Shell Response:

Present fee structure is acceptable.

Q6. Do you agree with the existing procedure of OSP registration for single/ multiple OSP centres? If not, please suggest suitable changes with justification.

Shell Response:

In the event OSP registration is applicable for multiple OSP centres under the same organization, the process should be simplified such that registration of multiple centres can be done basis the initial registration of the first such centre. This would facilitate ease of doing business and save time in the registration process.

Q7. Do you agree with the existing provisions of determination of dormant OSPs and cancellation of their registration? If not, please suggest suitable changes with justification.



Shell Response:

No comments.

Q8. Do you agree with the terms and conditions related to network diagram and network resources in the OSP guidelines? If not, please suggest suitable changes with justification.

Shell Response:

Network diagrams are required by any technical authority to understand IT infrastructure setup. So network diagrams with as much detail as possible must be provided as part of the mandatory documents to DoT.

Q9. Do you agree with the provisions of internet connectivity to OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

Shell Response:

The breakout can be in-country for all internet, but it should not be per TERM cell. Centralized breakout should be allowed for internet access. There are sufficient means to trace the origin & destination of traffic in the event of an investigation.

Q10. Do you agree with the provisions related to Hot Sites for disaster management mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

Shell Response:

No comments.

Q11. Do you agree with the provisions of logical separation of PSTN and PLMN network resources with that of leased line/ VPN resources for domestic OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

Shell Response:

Logical separation between PSTN and PLMN may be removed only for domestic voice traffic as it will simplify PSTN access, but at the same time LSA should be respected as the geographical limit.

Q12. Do you agree with the provisions of PSTN connectivity/interconnection of International OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

Shell Response:

Logical separation between PSTN connectivity and International OSP should be removed to provide ease of access and reduced capital expenditure.



Q13. Please provide your views as to how the compliance of terms and conditions may be ensured including security compliance in case the OSP centre and other resources (data centre, PABX, telecom resources) of OSP are at different locations.

Shell Response:

There are sufficient tools that have capability to apply policies at individual, department, and site level to ensure necessary conditions are being met. The same tools allow for investigations in the event of a breach. All Telecoms Service Providers (TSPs) keep a log of all calls and their content for a year due to their licensing conditions.

Q14. Please provide your views whether extended OSP of existing registered OSP may be allowed without any additional telecom resource.

If yes, then what should be the geographical limitation for the extended OSP centre; same building/ same campus/ same city?

Shell Response:

Yes, extended OSP should be allowed within the same Licensed Service Area (LSA)- up to 40Km range which is at par with existing telecom regulations (separate from OSP).

Q15. Please provide your views as to how the compliance of terms and conditions may be ensured including security compliance in case of the extended OSP centre.

Shell Response:

There are sufficient tools that have capability to apply policies at individual, department and site level while ensuring that the necessary conditions are being met. The same tools allow for investigations in the event of a breach.

Q16. Do you agree with the provisions of general conditions for sharing of infrastructure between International OSP and Domestic OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

Shell Response:

Agree with General Conditions.

Q17. Do you agree with the provisions of Technical Conditions under option -1 & 2 for sharing of infrastructure between International OSP and Domestic OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

Shell Response:

Yes agree.



Q18. In case of distributed network of OSP, please comment about the geographical limit i.e. city, LSA, country, if any, should be imposed.

In case, no geographical limit is imposed, the provisions required to be ensure compliance of security conditions and avoid infringement to scope of authorized TSPs.

Shell Response:

For Domestic OSP, LSA should be the geographical limit for PSTN access. For Int-OSP, PSTN resources should be availed outside geographical limit of country.

Q19. Do you agree with the provisions including of logical partitioning mentioned in the OSP guidelines for distributed architecture of EPABX?

If not, please suggest suitable changes with justification.

Shell Response:

No - the regulations should only focus on origin & destination of calls rather than defining type of work.

Q20. Do you agree with the monitoring provisions of mentioned in the OSP guidelines for distributed architecture of EPABX?

If not, please suggest suitable changes with justification.

Shell Response:

Agreed.

Q21. Please comment on the scope of services under CCSP/HCCSP, checks required / conditions imposed on the CCSP/ HCCSP including regulating under any license/ registration so that the full potential of the technology available could be exploited for both domestic and international OSP, and there is no infringement of the scope of services of authorized TSPs.

Shell Response:

The focus of the government should be on the origin & destination of a call, in relation to PSTN rather than defining the path to be taken by a call.

Q22. Please provide your comments on monitoring of compliance in case interconnection of data and voice path is allowed for domestic operations.

Shell Response:

There are sufficient tools that have capability to apply policies at individual, department and site level while ensuring that the necessary conditions are being met. The same tools allow for investigations in the event of a breach.



Q23. Do you agree with the provisions for use of CUG for internal communications of OSP as mentioned in the OSP guidelines?

If not, please suggest suitable changes with justification.

Shell Response:

Yes. Agreed.

Q24. Do you agree with the monitoring provisions for use of CUG for internal communications of OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

Shell Response:

Yes. Agreed.

Q25. Do you agree with the provisions of 'Work from Home' mentioned in the OSP guidelines?

If not, please suggest suitable changes with justification.

Shell Response:

Not agreed - the internet should be treated as a backbone for all communications and hence it should be opened up.

Q26. Whether domestic operations by International OSPs for serving their customers in India may be allowed?

If yes, please suggest suitable terms and conditions to ensure that the scope of authorized TSP is not infringed and security requirements are met.

Shell Response:

Yes, this should be allowed. The focus of regulations should be on origin & destination of a call, in relation to PSTN.

Q27. Whether use of EPABX at foreign location in case of International OSPs may be allowed?

If yes, please suggest suitable terms and conditions to ensure that the scope of authorized TSP is not infringed and security requirements are met.

Shell Response:

Yes - use of EPABX at foreign location should be allowed. TSP scope should be limited to carrying of voice traffic on PSTN network within the country.

Q28. Do you agree with the Security Conditions mentioned in the Chapter V of the OSP guidelines?

If not, please suggest suitable changes with justification.

Shell Response:

Yes. Agreed.



Q29. Do you agree with the provisions of penalty mentioned in the OSP guidelines?

If not, please suggest suitable changes with justification.

Shell Response:

No comment.

Q30. Whether OSP to OSP interconnectivity (not belonging to same company/ LLP/ group of companies) providing similar services should be allowed?

If yes, should it be allowed between domestic OSPs only or between international and domestic OSPs also.

Shell Response:

Yes - interconnection should be allowed between both domestic & international OSP of companies providing similar services.

Q31. In case OSP interconnectivity is allowed, what safeguards should be provisioned to prevent infringement upon the scope of licensed TSPs.

Shell Response:

There are sufficient tools to safeguard the scope of a licensed TSP. This can happen only when focus is on the origin & destination of a call, in relation to PSTN.

Q32. Do you agree with the miscellaneous provisions mentioned in the Chapter VI of the OSP guidelines?

If not, please suggest suitable changes with justification.

Shell Response:

No comments.

Q33. What provisions in the terms and conditions of OSP registration may be made to ensure OSPs to adhere to the provisions of the TCCCPR, 2018.

Shell Response:

Since there is a separate registration is in place, no additional provisions may be required.



Inputs for Consultation paper on OSP Terms & Conditions– (Too many references to third party products)

1. Background

Department of Telecom set up the OSP regulations in 2008 to cover, amongst others, services of contact centers under a telecom policy. This was partially to strengthen the telecom service providers in terms of revenue protection as well as revenue for the government and to ensure sufficient security measures to safeguard national security.

The OSP regulations were drafted at a time when the telecom sector was migrating from traditional PBX environments to IP based EPABX; software-based collaboration platforms were still nascent and with few features.

Technologically the market has changed vastly from 2008 to 2019 (present) and today within the telecom sector, PSTN has merged with IP such that old infrastructure (EPABX) has become outdated and today's converged collaboration platforms which offer voice, video, chat, instant messaging and real time collaboration functionalities have so much more features that enable users from different countries and locations to work together simultaneously and seamlessly as the nature of work has become ever more globalized.

2. Technology

Previously telephony technology started from Plain Old Telephone Services (POTS) lines that provided a means of communication between individuals which eventually evolved into the Internet which as an IP platform offers immense scope of services.

IP is the primary convergence factor for bringing voice, data and video onto the same platform because it allowed the same communication backbone to carry all types of traffic and allowed mixing of the traffic at the application end.

Today in 2019, we have communications platforms which allow users to collaborate on documents, talk to each other, exchange instant messages, share video and work on whiteboards, all at the same time. The ability for users in different geographical locations to collaborate and interact in real time with such communication platforms underpins organizations' ability to harness talents from wherever these workers may be and presents new economic opportunities to disparate groups of people who wouldn't otherwise be able to work together so seamlessly.

The very nature of today's telecoms capability allows people from across the globe to jointly work with as much ease as possible which was previously unheard of.

3. Revenue protection

Whilst PSTN networks are still prevalent, most of the service providers today earn more from their data networks which carry converged traffic than from the PSTN networks. This is also because of the prevalence of media consuming applications that need converged traffic and is driven by consumer demand for integrated services and capabilities.

A key aspect that will require more study is the actual costs of calls when routed via PSTN or data-based networks (MPLS, etc).



4. Communication and Collaboration Scenarios

Scenario-1 – Integrated Unified Communications & Collaboration (UCC) Platform approach

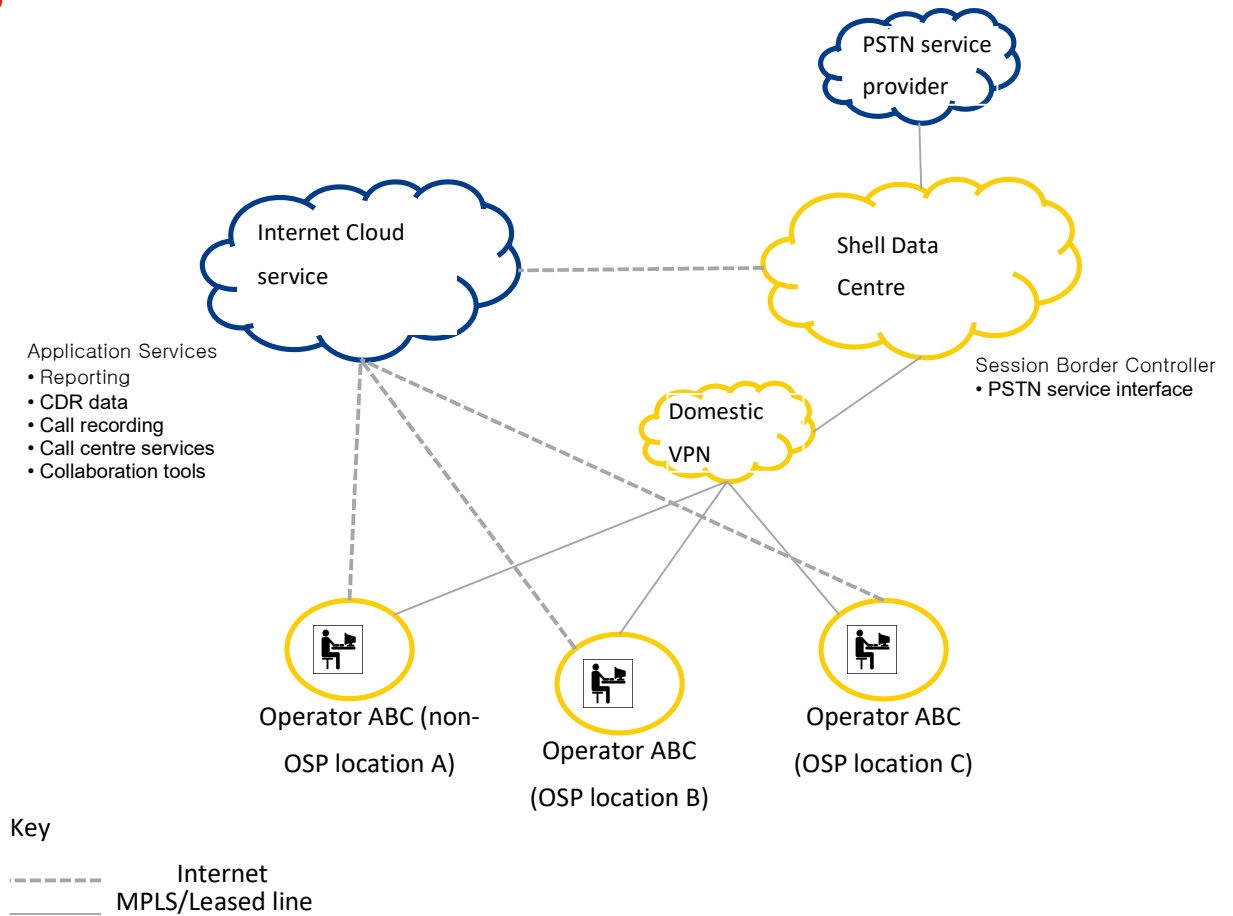
The integrated UCC platform approach is based on a publicly accessible Cloud platform that offers communication services (including audio/video calling, conferencing) and real time document collaboration. The combination of communication and collaboration enables users from different countries and locations to interact easily and enhances productivity for global organizations.

There are many platforms available today that brings UCC together. From an Enterprise perspective these platforms allow transparent access to (business) content managed on data centre repositories, access to business applications, instant messaging and at the same time, supporting audio/video calling capabilities with conferencing/contact-centre options.

It's important to note that the Unified Communications element in these platforms usually bundle Instant Messaging and Chat functionality with Internet- and PSTN based audio/video conversations. User or Customer interaction moves between the different modalities depending on the needs.

From a telephony compliance perspective, these UCC platforms' environment can support more strict call control through centralized or local (/on-site) telephony gateways. Calling policies are controlled with inbound and outbound restrictions enforced as well as the management of call detail records, user restrictions etc. Calling policies allow for in-country Telco PSTN revenue protection if required. Telephony policies can be enforced at user level or site level.

From a networking perspective, these UCC platforms enables access to public Internet. Local legislation is adhered to in terms of local-site or in-country consolidated Internet break out to allow for national security/visibility for Internet use.



Scenario-2 – Cloud based Contact Centre

The Cloud based Contact Centre is a telephony service accessible from the Enterprise network across a MPLS VPN.

Conceptually, the solution is similar to Scenario-1 except that the Contact Centre service is on-net on the Enterprise WAN.

5. Key takeaways

- a. The key point to note is that all traffic is today primarily being carried on data networks. Hence the regulations should not try to define the path for a voice or video call. Instead the focus should be on origin & destination of a call only when related to PSTN.
- b. Regulations should do away with defining domestic, international and non-OSP.
- c. The scope and definition of “IT Enabled Services” (ITES) should be clarified and updated to prevent companies from unnecessarily applying for OSP registration when they may in fact not be required to apply for such registration but nevertheless do so to err on the side of caution. As the OSP registration process is highly procedural, it can increase the cost of doing business in India especially for organizations with multiple locations in India. The current uncertainty surrounding the definition of what activities fall within the scope of ITES increases the difficulty for organizations to ascertain whether they need to comply with OSP regulations or not. All of this may result in the OSP regulation



- d. being implemented and enforced in an inconsistent manner which may in turn have an inadvertent adverse impact on the attractiveness of India as a competitive location to do business.
- e. Instead focus should only be on origin and destination of a call. To protect the local TSP, regulations should only focus on making sure that call originating (softphone or hardphone) in India to destination (PSTN) in India should take local route.
- f. At the same time to benefit the business, call originating in India and destined for international PSTN should be carried over data networks to break outside India. This already exists as part of the regulations.
- g. The location of the infrastructure that provides the services should not be relevant to the regulations. The benefit of cloud services is highly resilient infrastructure at lower capital cost.
- h. Whether user is at home or in office, there should be no separate set of rules for call flow.
- i. Today, all organizations use the internet as a backbone for communications in conjunction with VPN technology to protect the traffic being carried. This is not separate and distinct from MPLS in philosophy and hence there should be no need to have to restrict certain types of calls to only MPLS. Example – India user connected to internet and working from home, using UCC platforms, should be able to use the local PSTN resource dedicated for his office from within the LSA of his office.