



Association of Unified Telecom Service Providers of India

AUSPI/12/2008/106

16th June, 2008

Shri Nripendra Misra
Chairman
Telecom Regulatory Authority of India
Mahanagar Door Sanchar Bhawan
Jawahar Lal Nehru Marg
New Delhi - 110002

Sub: AUSPI's Response to TRAI Consultation Paper No. 11/2008 on Issues related to Internet Telephony

Dear Sir,

We are pleased to enclose AUSPI's Response to TRAI Consultation Paper No. 11/2008 on Issues related to Internet Telephony.

AUSPI requests the Authority to kindly take our views into consideration while coming out with its recommendations on the subject.

Thanking you,

Yours faithfully,


S.C.KHANNA
SECRETARY GENERAL

Encl: As above

Copy to:

Shri A K Sawhney, Member TRAI
Shri R N Prabhakar, Member TRAI
Shri R K Arnold, Secretary, TRAI
Shri Sudhir Gupta, Advisor (MN), TRAI
Shri S K Gupta, Advisor (CN), TRAI
Shri Luv Gupta, Principal Advisor (FN), TRAI
Shri M Kannan, Advisor (Eco), TRAI



AUSPI's Response to TRAI Consultation Paper No. 11/2008 on Issues related to Internet Telephony

General

The way leading issues have been projected in the consultation paper. Internet Telephony takes away the level playing field conditions between Unified Access Service Licensees and ISPs. The UASLs have faced a lot of hurdles to rollout internet telephony by them due to various ambiguities in their license like numbering scheme, routing, security etc which needs to be addressed by the Authority. **Expanding the scope of internet telephony license without considering level playing field issues has no basis.** Internet telephony may be allowed to be provided by Unified Access Service Providers as the license norms permit only UASL to provide internet telephony within the country. Clarity is required in facilitating the growth of internet telephony by Unified Access Service Licensees.

Our responses to the various questions raised by the Authority in this consultation paper are given below.

- 4.1 *Whether Internet service provider should be permitted Internet Telephony services to PSTN/PLMN within India? If yes, what are the regulatory impediments? How such regulatory impediments can be addressed? Please give your suggestions with justifications.*

No Sir. ISPs should not be permitted internet telephony services to PSTN/PLMN. In case Internet Service Providers are permitted to offer Internet Telephony to PSTN/PLMN within India, they must pay entry fee, license fee and other taxes and levies and acquire Unified Access Service License.

Due to lack of clarity on various ambiguities like Numbering, Routing, Security, Carriage Charges etc, implementation of Internet telephony could not take off by UASL. These aspects must be taken care for internet telephony to succeed thru UAS licensees.

Allowing ISPs to provide Internet Telephony to PSTN/PLMN in India will require foremost to create a level playing field with UASLs and to ensure lawful interception and monitoring to meet country's strategic and security requirement. **Only UASLs are permitted to provide Internet Telephony service to PSTN/PLMN within country which is the requirement also as per license.**

AUSPI is of the view to apply same entry fee and regulatory norms as for UASL to ISP or any other licensee if they are permitted to provide voice telephony within country. The need of the hour is to have a regulatory framework that fosters innovation, investment and affordable access with Level playing field.

The Authority, in its earlier recommendations of 13th January, 2005 proposed that unified license has clearly stated as follows:



Quote

*“In the new licensing regime, there shall be no restriction on usage of Internet Telephony or other IP enabled services provided they are offered by **operators with unified access license who have duly paid the prescribed registration charges and who will be subject to license fee**”.*

Unquote

- 4.2 *Whether allowing ISPs to provide Internet Telephony to PSTN/ PLMN within country will raise issues of non-level playing field? If so, how can they be addressed within present regulatory regime? Please give your suggestions with justifications.*

By allowing ISPs to provide internet telephony to PSTN/PLMN within country will hamper the level playing field.

TRAI recommendations to remove restrictions on the use of end device would bring ISPs on the same footing as UASL licensees specially regarding voice services without paying the required fees, BGs, levies etc.

AUSPI is of the view that unrestricted Internet Telephony be only through Unified Access license.

In view of above, ISP licensees may be permitted to provide Internet Telephony (restricted / unrestricted) on payment of requisite entry fee matching those paid by the UASLs for different circles and complying with other terms and conditions of UASLs licenses in order to ensure level playing field among UAS licensees.

Internet (other than Internet Telephony restricted/unrestricted) whether provided by UASL/CMTS/ISPs should not attract revenue share. This is essentially required to encourage growth of Internet especially in rural / remote areas. AUSPI is of the view that existing ISPs who intend to offer Internet Telephony (restricted / unrestricted) should be allowed to migrate to UASL. Other class of ISPs who do not want to offer Internet Telephony (restricted / unrestricted) and other value added services like IP/MPLS/VPN may continue as per existing arrangements.

- 4.3 *ISPs would require interconnection with PSTN/PLMN network for Internet telephony calls to PSTN/PLMN. Kindly suggest Model/ architecture/ Point of Interconnection between ISPs and PSTN/PLMN?*

Interconnection should be considered only after the ISPs are brought under UASL licensing regime. This only would ensure level paying field. Interconnection and carriage charges are likely to play an important role in the success of Internet Telephony access to PSTN/PLMN within the country. One of the options to ensure interconnection to ISPs, who want to provide Internet Telephony to PSTN/PLMN, is to grant “UAS license to ISPs by charging an additional entry fee and migrate them to UAS license.

- 4.4 *Please give your comments on any changes that would be required in the existing IUC regime to enable growth of Internet telephony? Give your*



suggestions with justification to provide affordable services to common masses?

Please refer to our response as in Para 4.3 above.

- 4.5 *What should be the numbering scheme for the Internet telephony provider keeping in view the limited E.164 number availability and likely migration towards Next Generation Networks? Please give your suggestions with justifications.*

AUSPI is of the view that UASL operators only be permitted to provide the internet Telephony with in the country.

The available numbering allocation using E.164 format for wire line connections to be revisited and re-looked afresh. Another option could be adopting Telephone Number Mapping (ENUM) which globally adopted methodology for addressing the end devices in case of Internet Telephony. ENUM permits additional means for identifying user, enriching the user identification information creating private number plans, introducing special billing arrangements. (for e.g., reverse billing, split billing etc) makes it suitable for Internet Telephony based solutions, but ENUM has its own limitations and need deliberations to resolve these disadvantages.

- 4.6 *UASL and CMTS operators are allocated number resources and permitted to provide Internet telephony including use of IP devices/Adopters. Whether such devices should be allocated E.164 number resource to receive incoming calls also? If so, whether such number resources should be discretely identifiable across all operators and different than what is allocated to UASL and CMTS to provide fixed and mobile services? Give your suggestions with justifications?*

Numbering strategy is important to promote the competition by providing access to numbering resource in a non-discriminatory manner. The internet telephony subscribers may be allocated E.164 based number which should be allocated on geographical area basis. The geographical area based allocation shall ensure that:

- (i) Internet service subscribers make and receive long distance calls through an NLDO.
- (ii) Subscriber making a call to a internet service subscriber would know if he is making a long distance call or a local call
- (iii) Easier inter-operator adjustment of interconnection usage charge.
- (iv) Easier implementation else major changes may be needed in the service providers existing routing and switching equipment.

By allowing E.164 based geographical numbers, consumers would have element of familiarity of the service At a later stage the option would also be available to include internet telephony for number portability with other TDM based networks.



As we have been suggesting above, regulatory policies should not favour one form of network or service over another. Any number other than geographical based E.164 would discriminate against internet telephony.

Therefore, AUSPI suggests Internet service providers should be allocated unique geographical area based E.164 numbering.

- 4.7 *If ISPs are allowed to receive Internet telephony calls on IP devices/ Adopters, what numbering resources should they be allocated?*

Internet Telephony should only be permitted to UASLs, No ISPs should be allowed to enter this domain unless brought within the purview of UAS licensing. The numbering scheme as suggested above in Q 4.6 may be followed.

- 4.8 *Is it desirable to mandate Emergency number dialing facilities to access emergency numbers using internet telephony if ISPs are permitted to provide Internet telephony to PSTN/PLMN within country? If so, Should option of implementing such emergency Number dialing scheme be left to ISPs providing Internet telephony? Please give your suggestions with justifications.*

Interconnected internet telephony must provide emergency number dialing facility to access emergency numbers.

AUSPI does not agree with the Authority's analysis that there are technical issues relating to Emergency Services. The basic emergency service is mere forwarding arrangement in which calls dialed to 100, 101 and 102 are transmitted from the service provider's switch to emergency service agency. Basic emergency services are not capable of processing the caller's location, but simply forward all calls to the appropriate public safety agency.

If an internet telephony subscriber is able to receive calls from other internet/PSTN/PLMN service users, and is also able to place calls to other internet telephony, PSTN and PLMN users, it would not be appropriate if such interconnected internet service providers are not mandated to provide basic emergency services.

The internet service providers can easily provide emergency services by interconnecting indirectly through such third parties like BSNL.

- 4.9 *Is there any concern and limitation to facilitate lawful interception and monitoring while providing Internet telephony within country? What will you suggest for effective monitoring of IP packets while encouraging Internet telephony? Please give your suggestions with justifications.*

There is a serious concern / limitation to facilitate lawful interception and monitoring while providing Internet Telephony within the country by ISPs.

Use of advance encoding and encryption techniques by internet telephony providers should not be a reason for not installing surveillance capabilities into their networks. All access providers and other internet telephony service



providers should be subject to equal obligation for implementation of lawful interception and monitoring arrangements.

Internet Service Providers should only be allowed to provide unrestricted Internet Telephony services if the ISPs pay entry fee, license fee and other regulatory levies along with taxes and levies and acquire Unified Access Service License. ISPs must follow clear regulatory and licensing policies to address the critical issue like security and monitoring of contents.

- 4.10 *Is there a need to regulate and mandate interoperability between IP networks and traditional TDM networks while permitting Internet telephony to PSTN/PLMN within country through ISPs? How standardization gap can be reduced to ensure seamless implementation of future services and applications? Please give your suggestions with justifications.*

As mentioned above internet Telephony needs to be permitted only to UASL license. Once ISPs take UASL the same rules of the game apply to all. Otherwise, only ISPs should not be allowed interconnections with PSTN. This is essential for the level playing field.

ISPs should not be allowed to provide internet telephony. Only when acquire UAS license and pay requisite levies and taxes, they be permitted Internet telephony and QoS parameters must be adhered to. However, UASL may be required to apprise the subscribers about QoS before they subscribe to such internet telephony services.