



1st May 2023

**Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan
Jawahar Lal Nehru Marg, (Old Minto Road)
New Delhi - 110002**

**Kind Attn: Mr. Tejpal Singh
Advisor (QOS 1)**

Subject: Draft Regulation on Review of The Quality of Service (Code of Practice for Metering and Billing Accuracy) Regulations, 2023

Dear Sir,

We appreciate Authority's continuous efforts for regularly reviewing regulations to safeguard the interest of consumers.

Also, we thank the Authority for giving us the opportunity to express our opinions on the TRAI released Draft Regulation on Review of The Quality of Service (Code of Practice for Metering and Billing Accuracy) Regulations, 2023 and Draft Guidelines for this Regulation dated 24th Feb 2023.

In this regard, we, Tata Teleservices Limited (TTSL) and Tata Teleservices (Maharashtra) Limited (TTML) [TTSL and TTML together called "TTL"] would like to submit our comments hereunder:

1. TRAI has proposed a three-layered approach for the audits:
 - i. Self-evaluation of M&B systems by the service providers before commencement of Audit.
 - ii. Audit of Metering & Billing Audit System (Centralised/De-centralised) by Auditor before commencement of LSAs audit.
 - iii. Audit of all LSAs at least once in financial year.
2. This three-layered approach is way more cumbersome than the existing process and goes against the intent of consultation process and also against the principles of "light touch regulations" and hence is not required.
3. It is also important to highlight that in order to comply with the above requirements of the three-layered approach outlined in the "Quality of Service (Code of Practice for Metering and Billing Accuracy) Regulations, 2023," a significant amount of staff and storage capacity will be required, resulting in a financial burden on the Service Providers.

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4. Thus, the additional provisions relating to metering & billing processes, excessively or unreasonably, shall lead to multiplicity of audit(s) making this entire process further complex.
5. In view of the above, there is an urgent need for the Authority to review and repeal the proposed audit procedure which will lead to not only the administrative and financial burden but also would require additional manpower to monitor and support the audit requirements which expands for the complete year covering all LSAs.
6. We further submit here that the TSPs are overburdened by the already existing Audit system and this proposed "Quality of Service (Code of Practice for Metering and Billing Accuracy), Regulations, 2023" which concentrates on the three-layered approach which includes self-evaluation would only be even more cumbersome than the already existing processes.
7. In view of the above, we submit that the prevalent provisions of various TRAI regulations/directions for information dissemination are sufficient to ensure transparency, empowers customers to make informed decisions about telecom services, and protect their interests.
8. Hence, no further regulatory intervention is required by means of the proposed Draft Regulation and if the Authority intends to continue with the audit, the same can be carried out on the basis of 1 sample LSA in a year. Further, the sample LSA audit should be based on the currently applicable M&B Regulations, which can be further simplified, and not as per the proposed Regulation.
9. With respect to **Financial Disincentives**, our submissions are here under:
 - i. That the proposal made by TRAI regarding the quantum of financial disincentive is excessive. Authority is requested to differentiate between procedural delays and substantial violations and the financial disincentives for the procedural delays in submissions and refund processing should be removed.
 - ii. Since the audit process covers various aspects of Metering & Billing systems, such as - tariff information to customers, provision of services, test call set-up, CDRs ratings and accuracy of measurement, complaint management including Root Cause Analysis etc., it calls for large-scale compilation of information from across service areas covering various processes and data / information extraction from billing & related systems. All these activities are time consuming and to be necessarily carried out for the completion of the audit and cannot be shortened in any manner.

Therefore, it is suggested that the provision for imposing Financial Disincentives for delay in submission of Audit reports/ ATR by TSPs should be discontinued.

Our response to the specific clauses of the draft Regulations are as under:

Chapter - 1: Short title, extent and commencement

TTL Response: We are of the view that if the Authority intends to continue with the audit, same can be carried out on the basis of 1 sample LSA in a year. Further, the sample LSA audit should be based on the currently applicable M&B regulations, which can be further simplified, and not as per the proposed regulations



Clause 3: They shall come into force from the 1st day of April, 20XX

TTL Response: If the Authority intends to continue with the audit, same can be carried out on the basis of 1 sample LSA in a year. Further, the sample LSA audit should be based on the currently applicable M&B Regulations, which can be further simplified, and not as per the proposed Regulation.

Further, for implementation of revised provisions of existing M&B regulation the industry will take at least 3 quarters time from the date of notification.

Chapter 4: Appointment of auditor for audit of metering and billing systems

TTL Response: This clause is not at all needed since TRAI is already empowered under the TRAI Act and in the past TRAI has already carried out special audits through the appointment of its Auditors, hence, there is no specific empowerment required for the appointment of Auditors as mentioned in this clause and thus, this provision should be deleted.

Chapter 5: Audit of metering and billing systems and Licensed Service Areas

TTL Response: TSPs are already conducting various internal audits of their systems and processes at regular intervals. Corrective actions, if any, are taken to address any such findings and to ensure error-free billing and charging to the customers, thereby enhancing customer satisfaction and experience of the services. It is to be noted that the proposed system audit by auditors is unnecessary and this clause needs to be deleted.

Clause (1) (c): “all of its Licensed Service Areas are audited for accuracy of metering and billing at least once in a financial year”

TTL Response: We submit that the audit should be carried out on the basis of 1 sample LSA in a year. Further, the sample LSA audit should be based on the currently applicable M&B Regulations, which can be further simplified, and not as per the proposed Regulation.

Clause (2): “Every service provider shall submit to the Authority, every year, by the fifteenth day of May, its annual schedule of audit, containing the details of Licensed Service Areas to be audited as per sub-regulation (1): Provided that the Authority may modify the schedule submitted by the service provider and the service provider shall adhere to such modified schedule of audit

TTL Response: We submit that the timelines prescribed are not feasible given the humongous tasks pertaining to the audit which include inter-alia extraction of CDRs, tariff vouchers, alignment of manpower for the audits, etc. The activities, as mentioned in the draft Regulation, 2023 are linked to each other and stringent that they are bound to lead to failure. It is not possible to conclude all these activities for all the licensed service areas, within a financial year.



Clause (3): “Every service provider shall, before the audit, conduct a self- evaluation of its metering and billing systems and Licensed Service Areas to be audited for the concerned quarter. A certificate in this regard needs to be submitted by the service provider to the auditor in conformity of the same”

TTL Response: Self-evaluation will be an additional activity which will add further complexity and challenges to the existing process and will also shorten the already crunched timelines. c. Accordingly, this new requirement of system audit is onerous and not in line with the ease of doing business and trust, and hence this clause should be deleted.

Clause (4): “Every service provider shall provide to the auditor, the raw call data records as may be required by the auditor for conduct of audit, within fifteen days of receipt of request for such records from the auditor.”

&

Clause (5): “Every service provider shall provide to the auditor, all necessary documents/information required for audit, other than raw call data records, within seven days of receipt of request for such documents/information from the auditor”.

&

Clause (6): “Every service provider shall provide to the auditor, its comments on an audit observation, within fifteen days of receipt of such observation, for inclusion of such comments in the audit report.”

TTL Response: We suggest there should be graded timelines for providing data to the auditors as extraction of data from IT systems may vary. One week is too short time to arrange for all relevant information to auditor. Minimum 3 weeks’ time is required to arrange for data.

15 days timelines is also not sufficient in case of CDR, since minimum 4 to 5 weeks’ time is required to extract archive data from IT systems for data pertaining to last 12- 18 months. Timelines for refund of the overcharged amount to the customers may be increased and should be graded basis active and inactive customers. Since time taken for refund for disconnected customers in the form of cheque may take long in billing systems.

Also, all the timelines under the Metering and Billing Audit Regulation which are being measured in ‘days’ should be changed to ‘Working Days’, excluding the day of providing the requirement by the Auditor as well as the day of submission of information to Auditor.

Chapter 6: Action by service provider on the instances of overcharging noticed by it and reporting thereof.

TTL Response: TSPs are already conducting various internal audits of their systems and processes at regular intervals. Corrective actions, if any, are taken to address any such findings and to ensure error-free billing and charging to the customers, thereby enhancing customer satisfaction and experience of the services. This requirement of self-evaluation is onerous and excessive and will make the entire audit process very cumbersome



Hence the proposed clause should be deleted.

Chapter 7: Action by service provider on the instances of overcharging noticed by it and reporting thereof.

TTL Response: All the timelines should be further relaxed and the timelines should be defined in terms of working days.

Chapter 8: Submission of audit report and action taken report.

TTL Response: The frequency of submission of audit reports and the ATR should continue to be on an annual basis as already applicable in the present Regulation.

Chapter 9: Consequences for failure of the service provider to submit audit report or action taken report.

TTL Response: We would like to re-iterate our submission i.e., no FD should be applied in the case of procedural delays.

Chapter 13: Retention of records

TTL Response- This requirement is onerous and the CDRs along with necessary data and analysis are already provided to the Auditor who analyses and shares the same with the Authority as well. Considering the above, if TSPs are still required to store the data, the requirement should not be for more than one year.

We hope our inputs will be given due consideration.

Thanking you and assuring you of our best attention always

Yours sincerely,

A handwritten signature in black ink on a light green background, appearing to read 'Satya Yadav'.

Satya Yadav
Addl. Vice President - Corporate Regulatory Affairs
Tata Teleservices Limited
And
Authorized Signatory
For Tata Teleservices (Maharashtra) Limited