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भारत संचार निगम लिमिटेड
(भारत सरकार का उपक्रम)
BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)
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Sub:- Implementation of the Quality of Service (Code of Practice for Metering and Billing Accuracy) (Amendment) Regulation, 2013 (4 of 2013) dated 25th March, 2013.

Kindly find enclosed herewith the letter dated 16th May 2013 received from Advisor (CA&QoS), TRAI on the subject cited above (Annexure-I). TRAI has amended the Quality of Service (Code of Practice for Metering and Billing Accuracy) Regulation, 2013 as follows.

- (i) Sub-regulation (3) of regulation 6 provides that "The Authority may, from time to time, issue such guidelines and checklist, as it may deem fit for audit of the metering and billing system of the service provider and every service provider shall arrange audit of their metering and billing system in accordance with such guidelines and checklist".
- (ii) (c) of sub-regulation (2) of regulation 6B provides that every auditor shall "submit to the Authority report on progress of audit in such format and at such intervals as the Authority may specify from time to time".
- (iii) Clause (f) of sub-regulation (2) of regulation 6B provides that every auditor shall "submit to the Authority, a monthly progress report on action taken by the service provider on instances of overcharging reported under regulation 6A, in such format, as may be specified by the Authority, from time to time".

In accordance with the provisions contained in sub-regulation (3) of regulation 6, the Authority issues herewith the guidelines and checklist for audit of the metering and billing system of service providers. All the access service providers and empanelled auditors shall undertake the audit of the metering and billing system in accordance with these guidelines and checklist of audit (provided in annexure of TRAI)

The Authority has considered the periodicity for submitting progress report of audit by the auditor, in accordance with clause (c) of sub regulation (2) of regulation 6B and it has been decided that the periodicity of submitting such report shall be Quarterly. The empanelled auditor has to submit the progress report in respect of the audit of the metering and billing system being undertaken by him, separately for basic telephone service (wire line) and cellular mobile telephone service, in the Format No. TRAI/M&B Audit/3 annexed with TRAI letter. The Quarterly report has to be submitted to TRAI within 21 days from the end of the respective Quarter.

The empanelled auditor also has to submit monthly progress report in respect of action taken by the service provider on instances of overcharging reported under regulation 6A, separately for basic telephone service (wire line) and cellular mobile telephone service, in the Format No. TRAI/M&B Audit/4 annexed with TRAI letter. The monthly progress report has to be submitted to TRAI, in accordance with clause (f) of sub regulation (2) of regulation 6B, within 10 days from the end of the respective month.

The order of TRAI dated 16th May 2013 received Advisor(CA&QoS) on the subject cited above (Annexure-II) vide which, TRAI hereby specifies the following formats, annexed to this letter :-

*JPMC RM-II - e/A
28/5/2013
AGM (M-111)
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F.No. 302-22/2012-QoS

Dated: 16th May 2013

To

1. All Access Service Providers.
2. All empanelled auditors of metering and billing system.
3. Cellular Operators Association of India (COAI), 14, Bhai Veer Singh Marg, New Delhi – 110 001.
4. Association of Unified Service Providers of India (AUSPI), B-601, Gauri Sadan, 5 Haili Road, New Delhi- 110 001.

Sub: Clarifications regarding implementation of the Quality of Service (Code of Practice for Metering and Billing Accuracy) (Amendment) Regulations, 2013 (4 of 2013) dated 25th March, 2013

Sir,

TRAI had notified "Quality of Service (Code of Practice for Metering and Billing Accuracy) (Amendment) Regulations, 2013 (4 of 2013) dated 25th March, 2013". These regulations have come into force from their publication in the official Gazette, i.e. 25th March 2013. Some of the empanelled auditors and COAI has sought certain clarifications regarding implementation of the above regulations. In this regard, clarifications of the Authority on the various issues are given below:

(i) **Year of applicability of the regulations:** Since the Quality of Service (Code of Practice for Metering and Billing Accuracy) (Amendment) Regulations, 2013 have come into effect with effect from 25th March, 2013, any action that is to be taken subsequent to the coming into force of these regulations will have to be undertaken as per the provisions of these regulations. Accordingly, the audit report for the year 2012-13 is to be submitted to TRAI by 31st July, 2013 and Action Taken Report is to be submitted by 15th November, 2013. Any delay in submitting the audit report and action taken report as per sub-regulation (5) and sub-regulation (6) of regulation 6A or failure to provide comments on audit observations in the action taken report will attract financial disincentives as per regulation 6C or regulation 6E, as the case may be. In case the CDR audit for tariff plans has already started, the same may be continued. However, instances of overcharging observed during such audit shall be proceeded as per the

provisions of regulation 6A and any failure to refund overcharged amounts shall attract financial disincentives as per regulation 6D.

(ii) **Panel of Auditors:** The validity period of existing panel of auditors has already been extended by TRAI for the audit for FY 2013-14 vide letter no. F.No.302-1/2010-QoS dated 15.4.2013. The service providers have already been advised to appoint the auditors from the existing panel of auditors for the audit for FY 2013-14 by 30th April, 2013.

(iii) **Tariff Plan matrix for CDR audit:** In clause (g) of sub-regulation (1) of regulation 6A it is provided that call data records of two new post paid data plans having maximum number of customers at the beginning of the Quarter shall be audited. It is clarified that the call data records of two post paid data plans having maximum number of customers at the beginning of the Quarter shall be audited. Necessary amendment to the regulations in this regard will be issued later.

(iv) **Checklist of Audit:** TRAI shall be issuing the guidelines for audit and revised checklist for audit separately.

(v) **Provision of copy of Customer Acquisition Form (CAF) to customer at the time of enrollment -** The customer shall be provided a copy of the Customer Acquisition Form (CAF) at the time of enrollment as per clause 1.2 of the Code of Practice for Metering and Billing Accuracy even though the subscriber verification guidelines issued by the Department of Telecommunication mandates that counterfoil of the CAF is to be given to the customer, since the terms and conditions of service are generally given as part of the CAF.

(vi) **Provision of information relating to tariff, terms and conditions of service etc. to customers:** In the case of both pre-paid and post-paid customers, the information under sub-clause (i) to (iv) of clause 1.2 of the Code of Practice for Metering and Billing Accuracy shall be provided in writing within one week of activation of service. Provision of such information at the time of taking connection and/or provision of such information in the Start Up Kit (SUK) will meet the requirement of this code.

(Shaji Abraham)
Joint Advisor (QoS)