

## **MINUTES OF THE 49<sup>th</sup> GOVERNING BODY MEETING OF FORUM OF INDIAN REGULATORS**

**DATE: 11<sup>th</sup> FEBRUARY, 2022, FRIDAY  
(Through Video Conferencing)**

Shri Ashok Kumar Gupta, Hony. Chairman, Forum of Indian Regulators (FOIR) and Chairperson, CCI chaired the meeting of the Governing Body (GB). He extended a warm welcome to all members present at the virtual meeting of FOIR and stated that this was his first meeting after taking over as Hony. Chairperson of the Forum of Indian Regulators. He appreciated the achievements of FOIR in the past one year and reiterated his commitment to carry forward the tradition of FOIR in future as well. He thanked all the former Chairpersons of FOIR for development of the Forum.

Chairperson, CERC and Hony. Vice Chairman also extended a warm welcome to all the Governing Body members to the meeting.

Thereafter, the GB took up the agenda items for discussion.

### **AGENDA 1: CONFIRMATION OF THE MINUTES OF 48<sup>TH</sup> MEETING OF GOVERNING BODY HELD ON 18<sup>TH</sup> JUNE, 2021**

Dy. Chief (RA), CERC informed the members about status of the FOIR activities, capacity building programs, working group activities and research studies. After discussion on the action points arising from decisions taken in the 48<sup>th</sup> meeting of the GB, the minutes were confirmed.

### **AGENDA 2: AMENDMENTS IN THE RULES & REGULATIONS OF FOIR**

#### **(a) Receipt of pro-rata membership fee from the new Members**

The Members were informed that there is no provision in the Rules for receipt of membership fee on pro-rata basis from the new Members joining the FOIR. Recently, FSSAI & RERA Punjab have conveyed their consent to join as Members of FOIR towards the end of the financial year and requested for pro-rata membership fee. However, their request could not be considered in the absence of a specific provision in this regards. Therefore, an amendment is proposed in the Rules, with regard to the receipt of pro-rata membership fee for

a particular year. About periodicity of the pro-rata membership fee, it was agreed that the period will be “monthly”, i.e. to say, from the month in which the new Member joins till 31<sup>st</sup> March of that financial year. Further, it was also decided that the Rules may be modified indicating the time by which the membership fee is required to be paid by the Members.

The GB further agreed that approval of the General Body to the proposal of amendments as per above decisions may be obtained by the Secretariat as per the provisions in the Rules. FSSAI and RERA, Punjab may be conveyed about the decision of the GB. It was further clarified that on receipt of fees, FSSAI and RERA, Punjab will be inducted as Members of FOIR.

### **(b) Induction of Other Infrastructure Regulatory Bodies as Members in FOIR.**

The Members were informed that there are no provisions in the Rules, so as to induct Infrastructure Regulatory Bodies and as such requests from FSSAI & RERA Punjab could not be considered. Accordingly, it is proposed to add another membership category viz., “Other Infrastructure Regulatory Bodies” along with the category of “State Electricity Regulatory Commissions”, without any change in the number of Members under the categories, viz., “Honorary Vice-Chairmen” and “Honorary Members”.

Chief (RA), CERC suggested to use the word “Authorities” instead of “Bodies”, in the proposed changes. The Members also suggested “replacing the word “Chairman” with “Chairperson” in the FOIR Rules & Regulations.

After discussion, the changes proposed to the Rules were accepted and the Resolution to effect such changes was passed. The GB further agreed that this proposal may also be taken to the General Body meeting for ratification as per Rules.

### **AGENDA 3: NEW MEMBERSHIP IN "FOIR", VIZ.**

- (a) Food Safety and Standards Authority of India (FSSAI)**
- (b) Real Estate Regulatory Authority (RERA), Punjab**

Deputy Chief (RA), CERC informed the GB Members that Food Safety and Standards Authority of India (FSSAI) have intimated their consent to become a Member of FOIR and accordingly, being a Central Infrastructure Sector organization, they may be inducted under the head “Honorary Vice-Chairman”. Further, if they want to join as a Member from the

current financial year, they may be asked to pay the membership fee on pro-rata basis, else they can join from the next year and membership fee can be paid in advance for the whole financial year.

Chairperson, T RAI suggested that Secretary, FOIR may examine the usage of the word “Honorary” in the Rules and in case the same is found superfluous, the same can be removed. Chairperson, FOIR suggested that in case the word is removed, then the GB Members can be informed regarding the same in the next GB meeting and if the same has a merit, then the word can be retained as it is.

Chairperson, FOIR advised the FOIR Secretariat to send invitation letters to other State RERA organizations to encourage them to join as Members of FOIR. This would help in expanding the membership base along with the activities of FOIR. Chairperson, FOIR and Chairperson, CERC stated that the changes being made to the Rules be implemented and ex-post ratification of the General Body Members may be obtained in its next meeting as per Rules.

The General Body, in view of above decisions, approved the membership of FSSAI and RERA Punjab in FOIR and the FOIR Secretariat was directed to convey the same.

#### **AGENDA 4: ACCOUNTS RELATED MATTERS**

(a) **Writing-off TDS refund for the previous Assessment Years (Viz. 2004-2005, 2007- 2008 & 2008-2009)**

(b) **Resolution**

Deputy Chief (RA) updated the GB Members about the pending TDS refunds for the previous years, receivable from the Income Tax Department and the opinion of the Tax Consultant in the matter.

To a query from the Members, Accounts Officer, FOIR/SAFIR clarified that the issue had arisen due to non-uploading of TDS on interest deducted by the banks (viz. Indian Bank and Corporation Bank) Further, the Income Tax Assessing Officer clarified that as the TDS on interest is not reflecting in Form 26AS (on the IT portal) for the previous years and intimations under section 143(1) of the Income Tax Act, 1961 is not provided, it would be difficult to process the refunds.

After discussion, the Members approved the proposal of writing-off the TDS refunds and the Resolution in this regard was passed.

### **AGENDA ITEM 5: CROSS SECTOR COLLABORATIVE REGULATION BETWEEN TELECOM REGULATORS AND ELECTRICITY REGULATORS**

Dy. Chief (RA), CERC apprised the GB about the constitution of the FOIR working group on Cross Sector Collaborative Regulation between the Telecom Regulator and Electricity Regulators and the developments with respect to the meetings of working group and sub-groups. Thereafter, she requested Advisor (Broadband & Policy Analysis/Network, Spectrum & Licensing-I) TRAI, who is also the Chairman of the FOIR Working Group to present the findings and recommendations of the working group.

Advisor, TRAI made a presentation on “Recommendation of the Working Group to the FOIR on Cross Sector Collaborative Regulation between Telecom Regulators and Electricity Regulators” (**Annexure-I**) and briefly explained the salient features and the uses of 5G technology. He informed that cross sectoral collaboration is the basis for Gati Shakti Program of Government of India and that the FOIR platform can be leveraged for success of the same. He also elaborated on how the telecom and power sector companies can support each other. He also briefed the GB on the recommendations of the working group which are:

- Development of a centralized portal & GIS Mapping of Assets
- Monetizing assets of power utility companies
- Placement of telecom antennas and associated equipment on the transmission towers
- Utilizing transmission assets such as electric substation lands & buildings
- Deployment of small cells and aerial fibre on electric poles

Chairperson, TRAI stated that the use of power sector infrastructure is very important for success of 5G technology in India and added that capex requirement for implementation of 5G technology is very huge and this could be reduced substantially by use of power sector infrastructure for placing the 5G cells. He also informed that TRAI had recommended to DoT to have a policy on infrastructure sharing so that infrastructure sector could be promoted and incentivised.

Chairperson, CERC stated that recommendations of the working groups should be disseminated among all the Discoms, as it would be infrastructure of the discoms which would be used to install the 5G cells and related equipment. He also added that these recommendations will be presented before the Forum of Regulators so as to sensitise the State Electricity Regulators on the importance and need for sharing infrastructure to enable the implementation of the 5G technology. He further added that in addition to electricity sector, infrastructure of oil/gas pipelines can also be used. He further added that TRAI and CERC can work together for developing a policy for co-creation of infrastructure sharing and incentivizing. He also added that there is a need to understand the requirement for contractual details and obligations related to electrical infrastructure sharing and international practices.

The Forum noted and appreciated the report and recommended that a small group comprising officials of TRAI, CERC and PNGRB may work together for further detailing including studying international agreements and TRAI was requested to share a concept paper on this.

At the end of the meeting, Chairperson, FOIR/CCI thanked all the members of the GB for fruitful discussion during the meeting and looked forward for more meaningful reports. The meeting concluded with a vote of thanks to Chairperson, FOIR.

\*\*\*\*\*

LIST OF PARTICIPANTS OF THE  
49<sup>TH</sup> GOVERNING BODY MEETING OF "FOIR"  
HELD ON FRIDAY, THE 11<sup>TH</sup> FEBRUARY, 2022  
{ THROUGH VIDEO CONFERENCING }

<b>S. No.</b>	<b>Name</b>	<b>Designation &amp; Organization</b>
01.	Shri Ashok Kumar Gupta	Chairperson, CCI & Hony. Chairman, FOIR
02.	Shri P.K. Pujari	Chairperson, CERC & Hony. Vice-Chairman, FOIR
03.	Dr. P.D. Vaghela	Chairperson, TRAI & Hony. Vice-Chairman, FOIR
04.	Shri D. Radhakrishna	Chairperson, TERC & Hony. Vice-Chairman, FOIR
05.	Dr. Navrang Saini	Member & Chairperson I/C. IBBI
06.	Shri A.K. Tiwari	Member, PNGRB
07.	Shri T.S. Balasubramanian	Member (Fin.) TAMP&Hony Vice-Chairman, FOIR
08.	Shri Suresh Chandra Dinkar	Member, RERC & Hony. Member, FOIR
09.	Shri Bhanu Pratap Singh	Member, HPERC & Hony. Member, FOIR
10.	Shri Mukul Dhariwal	Member, MPERC & Hony. Member, FOIR
11.	Shri I.M. Bohari	Member, MERC & Hony. Member, FOIR
12.	Shri Indu Shekhar Jha	Member, CERC & Hony. Secretary, FOIR
13.	Shri Arun Goyal	Member, CERC & Hony. Treasurer, FOIR
14.	Shri Sanoj Kumar Jha	Secretary, CERC & Executive Secretary, FOIR
15.	Dr. Sushanta K. Chatterjee	Chief (Regulatory Affairs), CERC
<b>SPECIAL INVITEE</b>		
16.	Shri Pravas Kumar Singh	Member, CERC
17.	Shri Sanjeev Sharma	Advisor (BB&PA) TRAI

**FOIR SECRETARIAT**

18.	Ms. Rashmi Nair	Dy. Chief (Regulatory Affairs), CERC
19.	Shri Rajiv Kumar	Executive Treasurer, FOIR
20.	Shri Sanjeev Tinjan	Asst. Chief (RA), CERC
21.	Shri M.M. Prasad	Sr. Accounts Officer, FOR
22.	Shri Nilesh Diwan	Accounts Officer, FOR
23.	Shri Manvendra Pratap	Research Officer, CERC
24.	Shri Kushal Pal	Research Associate, SAFIR
25.	Shri Sushil Kumar Arora	Administrative Officer, SAFIR



# **Recommendations of the Working Group to the FOIR**

**on**

## **Cross Sector Collaborative Regulation**

**between**

## **Telecom and Power Sector**

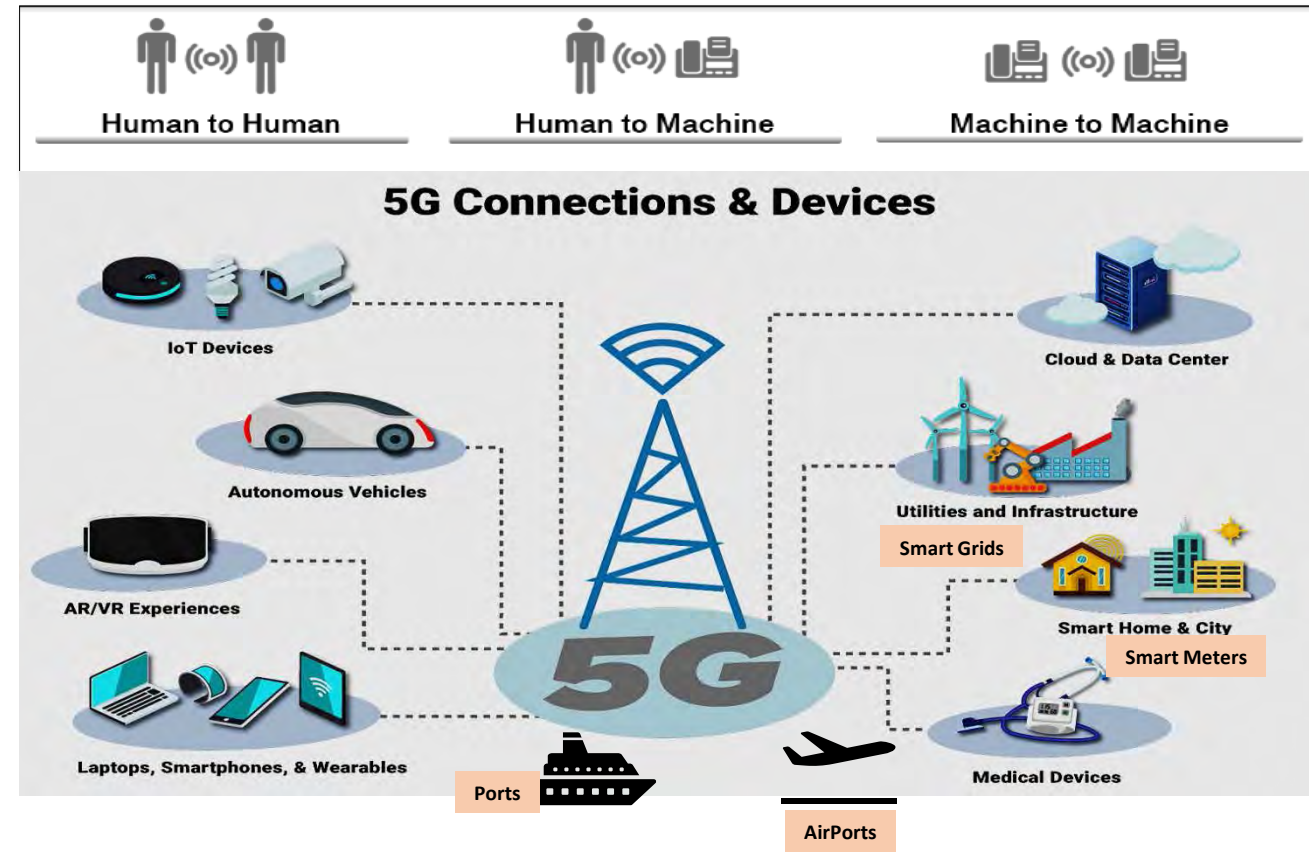
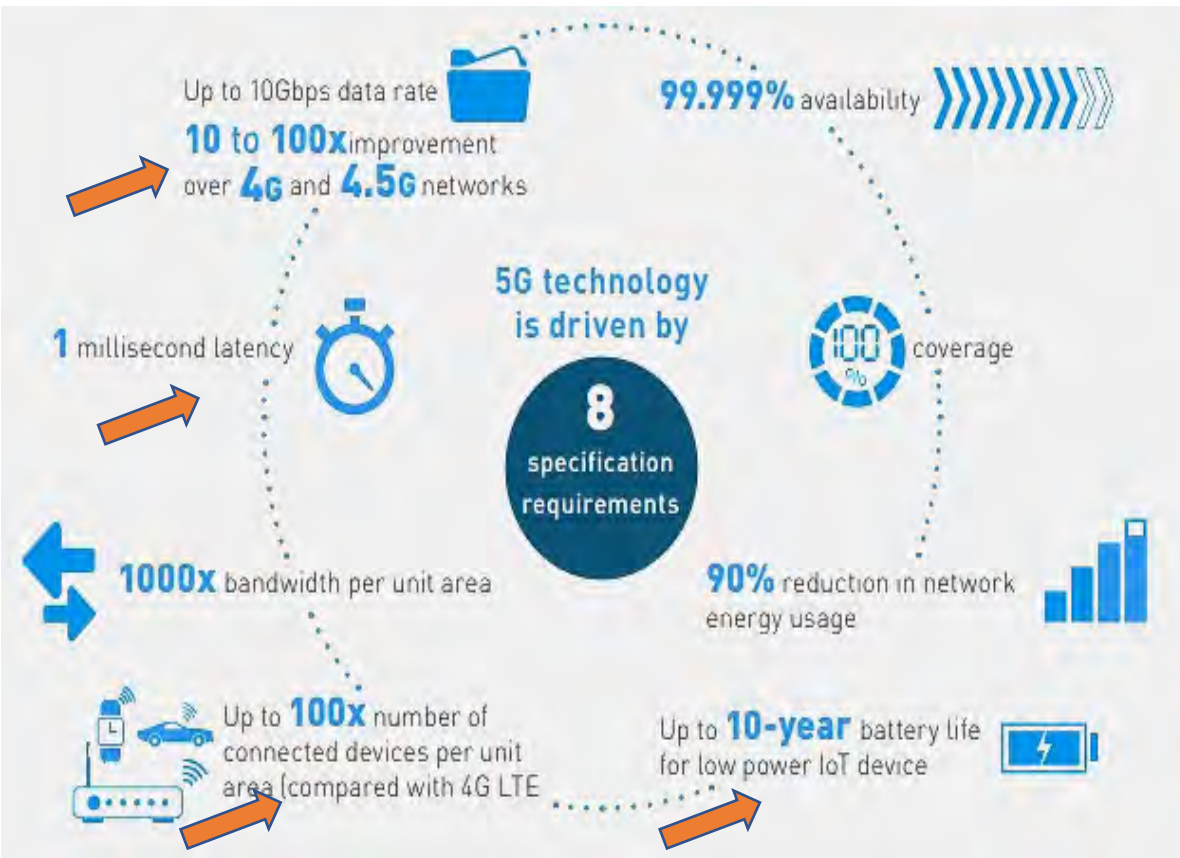




# Background – 5G features & use cases

- 5G wireless technology is designed to deliver higher multi-Gbps peak data speeds, ultra low latency, massive network capacity.

- 5G features and Machine to Machine communication is giving rise to numerous use cases changing the way Citizens and business work





# How collaborative approach for 5G is benefitting different sectors

## The Port of Qingdao –

top ten busiest ports in the world, processing approximately 19.3 million containers every year.  
Facilitated 5G rollouts and Upgraded manually operated harbors to automated ones by leveraging 5G solution.  
Up to 70 percent labor costs savings

## Chengdu Tianfu International Airport

launching 5G-based smart travel services, such as VIP recognition, luggage tracking, and AR map navigation using Huawei's indoor small cells combined with 5G distributed Massive MIMO software functions

Georgia Power Tech - Proactively offered 5 lakh outdoor streetlights poles and 90,000 transmission structures to telecom service providers to accelerate 5G build-out. Online GIS mapping displays all available Georgia Power infrastructure and land assets

Mercedes-Benz at the Sindelfingen plant enabled 5G car production with Telefónica Germany. Industry 4.0 is being realised automation on the factory floor by AI-driven analysis and remote assets being tracked and monitored by cameras and IoT technologies.

How collaborative approach for 5G is benefitting sectors



## **Cross Sectoral collaborations – Key to Infrastructure and Nation building**

- GatiShakti programme that marks a paradigm shift in decision making to break the silos of departmentalism.
- FOIR Platform can be leveraged for success of Gatishakti
- Cross-sector partnership between sectors can benefit them through leveraging shared resources and increased scales.
- Cross sectoral collaboration can bring in new revenue opportunities and cost savings for the stakeholders.

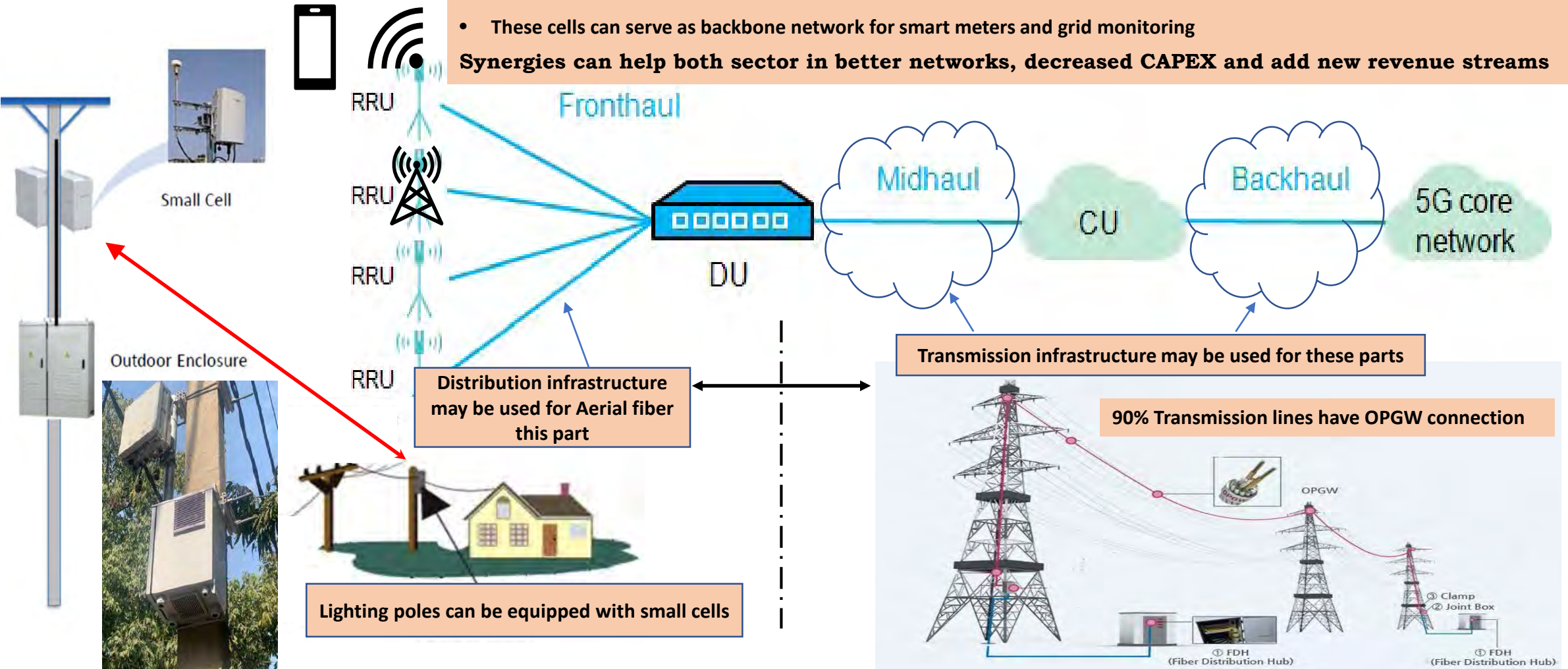




# Telecom & Power Sector – Best placed to collaborate

- 5G will require lakhs of cells to be placed close to users.
- Placing them on Poles and Connecting these cells on aerial fiber can save costs and time
- These cells can serve as backbone network for smart meters and grid monitoring

**Synergies can help both sector in better networks, decreased CAPEX and add new revenue streams**



Small Cell

Outdoor Enclosure

RRU

RRU

RRU

RRU

Fronthaul

DU

Midhaul

CU

Backhaul

5G core network

Distribution infrastructure may be used for Aerial fiber this part

Transmission infrastructure may be used for these parts

90% Transmission lines have OPGW connection

Lighting poles can be equipped with small cells

FDH (Fiber Distribution Hub)

FDH (Fiber Distribution Hub)



# Background

- ❑ As per discussions in 21st Annual General Body Meeting of FOIR held on 30.09.2020, a Working Group was constituted to submit recommendations on “Cross Sector Collaborative Regulation between Telecom Regulators and Electricity Regulators”.
  
- ❑ As the subject was extensive and various aspects were to be studied and analysed in detail, the Working Group decided to further constitute following four sub-groups :
  - Group 1 – Mapping of available infrastructure/assets
  - Group 2 - Installation practices for small cells
  - Group 3 - Installation practices for aerial fibre
  - Group 4 – Legal, regulatory and licensing issues to enable cross sector collaboration



# Recommendations

## Centralized portal & GIS Mapping of Assets

- A portal should be developed where utilities can give details of existing assets and fibers mapped digitally.
- The portal should also have provision whereby a utility company can indicate which of its assets are available for sharing and all other stakeholders can convey their response, if interested.
- A format for collection of Fibre Optics/Tower details from various utilities has being recommended.



# Recommendations

## Monetizing assets of Power utility companies

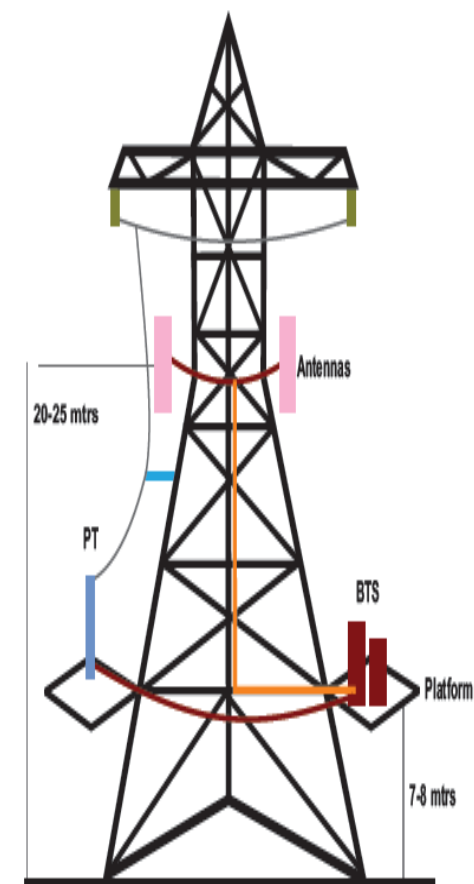
- Many utility companies have either laid optical fiber or own OPGW/ADSS, but are not monetizing these assets by renting them out. There are 2 issues involved -
  - A) Utility companies can register as Infrastructure Providers with DoT to lease out dark fiber. Tata Power have in place their guidelines in this regard. FOIR can share the same with all power sector utility companies.
  - B) For revenues earned by Transmission and Distribution companies through Telecom business, supporting regulations are required
- CERC Regulation (Sharing of Revenue Derived from Utilization of Transmission Assets for Other Businesses), 2020 describes the manner of revenue sharing if any transmission licensee engages in telecommunication business (The amount of the sharing is 10% of gross revenue from Telecom business in a financial year).
- The Working Group recommends that FOIR may either issue guidelines to SERCs or frame model regulations for SERCs on similar lines. The same may be suitably modified and adopted by SERCs.



# Recommendations

## Placement of Telecom antennas and associated equipment on the transmission towers

- Recommends utilization of the 400kV & 765kV transmission line Towers (and any other suitable ones) located near urban/rural population for placement of Telecom antennas and associated equipment on the towers itself (wherever feasible) to cater to the requirement of telecom towers.
- POWERGRID's has successfully done pilot on Jhatikara-Mundka line
- CERC has issued an Order i.r.o POWERGRID petition and has decided for revenue sharing with beneficiaries in ratio of 50:50 for one year and same shall be reviewed after one year.
- FOIR may either issues guidelines to SERCs or frame model regulations for SERCs on revenue sharing model similar to CERC's order w.r.t. POWERGRID petition.







## Recommendations –

### Utilizing transmission assets such as electric substations lands & buildings

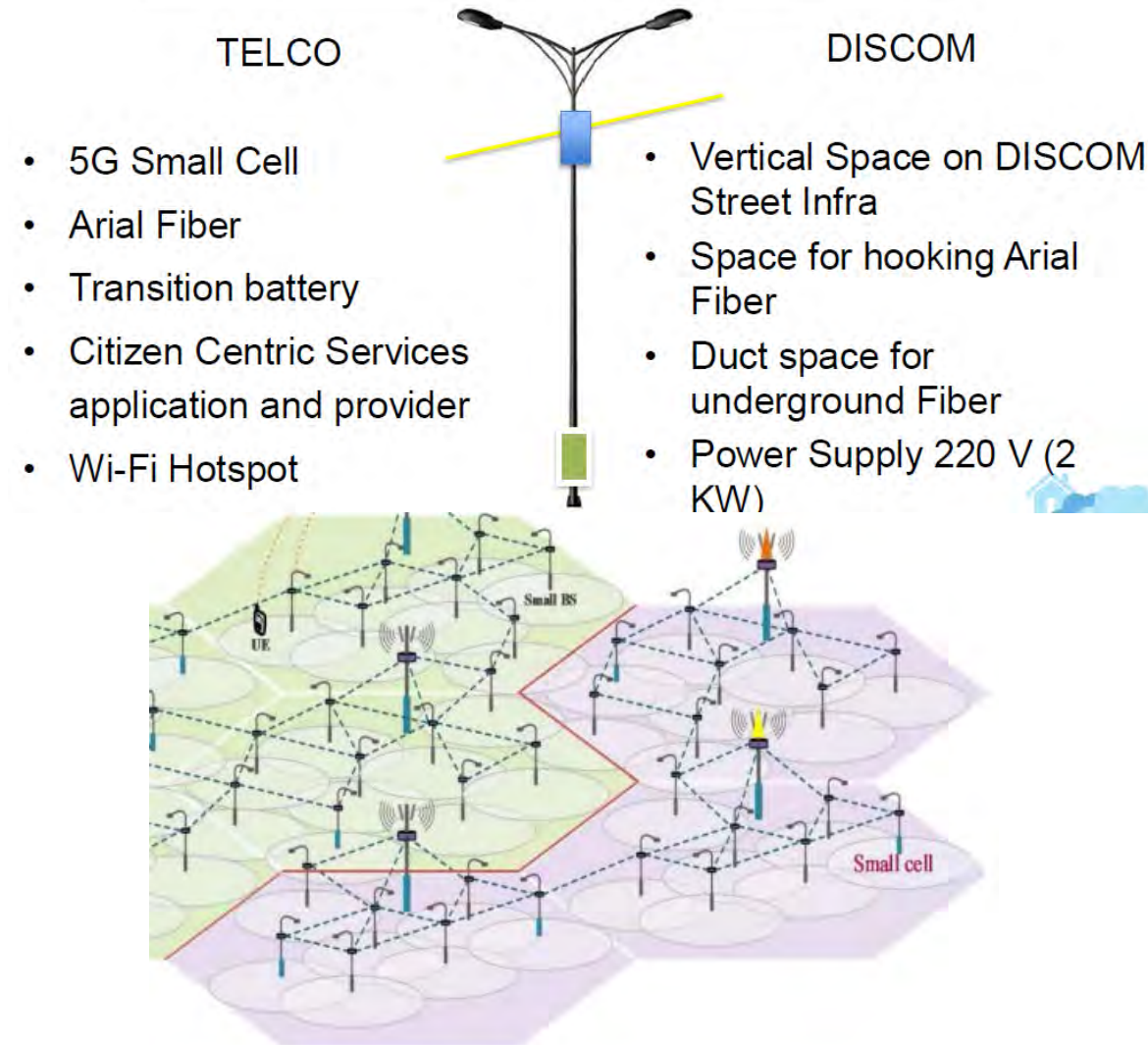
- (i) Recommends utilization of transmission assets such as electric substations lands & buildings as location for placing Telecom sector equipment (wherever feasible) as they are operational on 24x7 power supply.
- (ii) Delhi Electricity Regulatory Commission (DERC) has allowed for utilization of distribution assets for Telecom services on revenue sharing basis and same can be adopted by other State Regulators also.
- (iii) However, Municipal Corporation are imposing tax liability in cases where transmission assets i.e. Substation lands & buildings, are shared for cross function use on revenue sharing model.
- (iv) The Working Group recommends that this issue needs to be taken up at appropriate level so that whenever land is provided on favourable terms to utility companies and those utility companies are sharing the same for utilization with other utility company, then terms of use of land should not change.



# Recommendations

## Deployment of small cells and aerial fibre on electric poles

- ❑ For deployment of small cells and aerial fibre on electric poles following retrofit would be needed:
  - a. Mounts for deployment of Small cell / Wi-Fi
  - b. Electricity Connection : 2KW
  - c. Outdoor enclosure for hoisting Power / Fiber / Telecom Equipment
  - d. Space for hooking Aerial fiber
- ❑ However, to have full understanding of all the requirements, the Working Group recommends that FOIR can initiate a pilot project
- ❑ FOIR can identify 2 DISCOMs with 50-100 nos. of locations of street light poles.
- ❑ One or two Infrastructure providers can deploy 5G & Fiber Infra over DISCOM Infra (Indus Tower has already shown interest)).
- ❑ Citizen Centric Service and App provider can be looped to identify 2-3 use case for DISCOM i.e. Smart Metering, Uptime Management & QoS at user end.
- ❑ The Pilot Project may run for 3 months and detailed report to be submitted.





TRAI has initiated 4 pilots with objective of zeroing down on Policy and Regulatory interventions to ensure quick and cost-effective deployment of Small Cells and aerial fiber in Airports/Ports/Metros and Smart City using street furniture .

**Pilot Projects for small cell & aerial fiber deployment using street furniture**

Working Group No.	Pilot Area	Pilot Working Groups						
		TSP1	TSP2	IP1	OEM/SI	TRAI	Administrative Authority	Govt
WG-1	Kandla Port (Deendayal Port)	RJIL	BSNL	Summit Digital	To be selected by COAI/TSPS	RO Jaipur	Deendayal Port Trust	DoT/Controlling Ministry
WG-2	Delhi Airport	AIRTEL	VIL	DAIL*	--do--	HQ Delhi	AAI/GMR	DoT/Controlling Ministry
WG-3	Smart Bhopal City	AIRTEL	RJIL	INDUS	--do--	RO Bhopal	BSCDCL	DoT/Controlling Ministry
WG-4	Metro-Bengaluru (Namma Metro)	VIL	BSNL	ATC*	--do--	RO Bengaluru	BMRCL	DoT/Controlling Ministry



# Additional Recommendations

- ❑ SERCs may direct the DISCOMs to Install Prepaid smart meters at telecom sites on priority.
- ❑ As per CBDT Circular dtd. 30th June, 2021, Companies are paying 0.1% TDS over DISCOM bill payments, whereas some DISCOMs are yet to upgrade their payment portals to accept bill nett of TDS resulting in double payment problem. DISCOMs should seek exclusion from CBDT for TDS applicability upon electricity payments or seek some moratorium period to upgrade their system.
- ❑ Telecom sites should be provided electricity connection under Utility/Industrial tariff.
- ❑ One application for multiple sites will be required for large number of small cells. Discoms should adopt One Discom-One Bill-One Payment policy for all Business users that use electricity connections at multiple locations including Telecom sector service/infra providers.
- ❑ Electricity consumption at each telecom site may be allowed to be aggregated and offset with green power (solar, wind, hydro etc) generated at distant locations. SERCs may be requested to incorporate same in their regulations.



**THANK YOU**