

By Email.

No: 30-39/2009-USOF/Instructions
Department of Telecommunications
Universal Service Obligation Fund
Room No: 1115, Sanchar Bhawan
New Delhi-110117.

Dated 05-02-2009

To,
All Pr.CCAs / CCAs

Subject:- Date Of Commissioning of Mobile Infrastructure tower .

Sir/Madam,

To avoid dispute between the IPs and USPs over the exact date of commissioning of a tower by an IP the competent authority has decided to adopt the following procedure:

- i) On the tower becoming Ready For Integration (RFI), Annexure -9 (or a copy thereof) may be issued by **Registered Post** by the IP to all three USPs for countersignature detailing inter-alia date of commissioning of tower/site.
- ii) If the **date of commissioning is acceptable to the USPs**, they will countersign the Annexure -9 within 15 days of issue of the forwarding letter containing the filled-up Annexure-9.
- iii) If two of the three USPs countersign or if no communication is received back from the USPs within 15 days, the site shall be deemed to have been commissioned.
- iv) The IP may proceed to submit his first claim upon receipt back of the Annexure -9 (or a copy thereof) with countersignature from at least two out of three USPs or in case no reply at all is received within 15 days of issue of the letter by the IP to the USPs (which will be assumed to imply consent of USP in the absence of any objection in writing). In other words only after Annexure -9 (or a copy thereof) is received back duly countersigned from at least two USPs or is not responded to within 15 days of issue of the letter, the IP can treat the date of commissioning as final and proceed to submit the first subsidy claim.
- v) In case a **USP has objections to RFI** (Ready For Integration) status, he shall write back with details to the IP with a copy to the CCA & the IP will need to address the issues/objections raised before submission of **First Claim**. In such cases of disagreement, the date of commissioning shall be the subsequent date to which both the IP and the USPs agree.
- vi) The procedure explained above shall be prospective and henceforth first claim of all the IPs shall be accompanied by Annexure-9 wherein the date of commissioning shall be filled up as per the procedure outlined above.

Provided, however, if a claim has already been submitted along with Annexure-9 and there is a dispute about the date of commissioning, the claim

will not be settled till the Annexure-9 is revised as per the procedure outlined above.

Encl-As above

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5/2/08
(S.C.Agrawal.)
Asstt. Administrator(F)