



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS  
NATIONAL TELECOMMUNICATIONS COMMISSION

MEMORANDUM ORDER  
No. 04-06-2008

SUBJECT: BROADBAND WIRELESS ACCESS FREQUENCIES

WHEREAS, the 1987 Constitution fully recognizes the vital role of communications in nation building and provides for the emergence of communications structures suitable to the needs and aspirations of the nation;

WHEREAS, the promotion of competition in the telecommunications market is a key objective of Republic Act No. 7925 (RA7925), otherwise known as The Public Telecommunications Policy Act of the Philippines, which mandates that "a healthy competitive environment shall be fostered, one in which telecommunications carriers are free to make business decisions and interact with one another in providing telecommunications services, with the end in view of encouraging their financial viability while maintaining affordable rates";

WHEREAS, RA7925 further defines the role of the government to "promote a fair, efficient and responsive market to stimulate growth and development of the telecommunications facilities and services";

WHEREAS, the National Telecommunications Commission (Commission) promulgated MC No. 06-08-2005 allocating frequencies for broadband wireless access (BWA) to promote and facilitate the growth and development of information and communications technology throughout the country;

WHEREAS, the Commission has allocated more radio frequencies for BWA in subsequent issuances;

WHEREAS, the number of allocated frequencies for BWA is limited and should be used efficiently;

NOW, THEREFORE, pursuant to RA7925, Executive Order (EO) No. 546 series of 1979, Act3846, as amended, and in order to ensure that the allocated frequencies for BWA will be used effectively and efficiently and accessed by the general public, the Commission hereby orders the following:

1. The frequencies allocated to BWA pursuant to MC No. 06-0-8-2005 and subsequent issuances allocating more frequencies for BWA shall be assigned only to duly enfranchised and authorized entities.
2. Local Government Units intending to set up broadband radio networks within their respective areas of jurisdiction may apply with the Commission for permits and licenses to purchase, construct and operate wireless broadband networks. The LGUs are encouraged to use frequencies allocated to wireless data networks (WDN).

3. Persons and entities intending to set up broadband radio networks for private use may apply with the Commission for permits and licenses to purchase, construct and operate private radio broadband networks using frequencies allocated to wireless data networks (WDN).
4. Any circular, order, memoranda or parts thereof inconsistent herewith are deemed repealed or amended accordingly.
5. This Memorandum Order shall take effect fifteen (15) days after publication in a newspaper of general circulation and three (3) certified true copies are furnished the UP Law Center.

Quezon City, Philippines June 3, 2008

  
**JORGE V. SARMIENTO**  
Deputy Commissioner

  
**RUEL V. CANOBAS**  
Commissioner

  
**JAIME M. FORTES, JR.**  
Deputy Commissioner