



REPUBLIC OF THE PHILIPPINES
NATIONAL TELECOMMUNICATIONS COMMISSION
NTC Building, BIR Road, East Triangle, Diliman, Quezon City
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NOTICE OF PUBLIC HEARING

The **NATIONAL TELECOMMUNICATIONS COMMISSION (NTC)** is inviting all affected and interested parties to the **Virtual Public Hearing** on the proposed Memorandum Circular on

CLARIFICATION ON MC09-09-2003 (WIRELESS DATA NETWORKS AND DEVICES) AND MC06-08-2005 (FREQUENCY BAND ALLOCATION FOR BROADBAND WIRELESS ACCESS)

to be held on 02 June 2021, Wednesday, at 2:00 P.M. The ID and passcode shall be posted in the NTC website www.ntc.gov.ph on 01 June 2021.

Copies of the proposed Circular can be downloaded from the NTC website www.ntc.gov.ph.



GAMALIEL A. CORDOBA
Commissioner

MEMORANDUM CIRCULAR

No. _____

Subject: CLARIFICATION ON MC09-09-2003 (WIRELESS DATA NETWORKS AND DEVICES) AND MC06-08-2005 (FREQUENCY BAND ALLOCATION FOR BROADBAND WIRELESS ACCESS)

WHEREAS, Sec. 6.3 of MC09-09-2003 provides "*The following spectrum user fees (SUF) shall be paid annually:*

- 6.3.1 *PhP500.00 for each outdoor radio station operated by private persons/entities or PTE and for each indoor radio station operated by PTEs with a maximum data rate of 11MBPS.*
- 6.3.2 *PhP1,000.00 for each outdoor radio station operated by private persons/entities or PTE and for each indoor radio station operated by PTEs with a data rate in excess of 11MBPS."*

WHEREAS, MC06-08-2005 classified, among others, frequency bands 2400MHz to 2483.5MHz, 5150MHz to 5350MHz, and 5470MHz to 5850MHz to broadband wireless access (BWA);

WHEREAS, MC06-08-2005 does not have provision on the applicable spectrum user fees (SUF);

WHEREAS, there are interpretations that the SUF rate for the radio frequency (RF) bands 2400MHz to 2483.5MHz, 5150MHz to 5350MHz, and 5470MHz to 5850MHz shall be based on MC10-10-97 (Spectrum User Fees);

NOW, THEREFORE, pursuant to RA 7925, Executive Order No. 546 series of 1979, and in order to clarify the SUF rates applicable to RF bands 2400MHz to 2483.5MHz, 5150MHz to 5350MHz, and 5470MHz to 5850MHz and make the provision of broadband/internet access services affordable to the citizens particularly in unserved and underserved areas, the following rules are hereby promulgated:

SECTION 1. Spectrum User Fees

1. The spectrum user fees (SUF) shall be PHP500.00 for each outdoor radio base station operated by private persons/entities and for each indoor and outdoor radio base station operated by PTEs with a maximum data rate of 11MBPS.
2. The SUF shall be PHP1,000.00 for each outdoor radio base station operated by private persons/entities and for each indoor and outdoor radio base station operated by PTEs with a data rate in excess of 11MBPS.

Sec. 2. Use of Radio Stations Operating in the RF Bands 2400MHz to 2483.5MHz, 5150MHz to 5350MHz, and 5470MHz to 5850MHz as Fixed Point-to-Point Radio Links

1. Only duly authorized PTEs and partner entities of the Department of Information and Communications Technology (DICT) pursuant to Sec. 6 of Republic Act No. 10929, the Free Internet Access in Public Places Act, shall be allowed to use radio stations operating

within the RF bands 2400MHz to 2483.5MHz, 5150MHz to 5350MHz, and 5470MHz to 5850MHz as fixed point-to-point radio links.

2. Such radio links shall only be allowed in 4th class, 5th class and 6th class municipalities.
3. Radio link refers to radio station in a fixed location communicating with another radio station in a fixed location.
4. The SUF rates prescribed in Sec. 1 hereof shall apply.

Sec. 3. Repealing Clause

Any circular, order, memoranda or parts thereof inconsistent herewith are deemed repealed or amended accordingly.

Sec. 4. Effectivity

This Circular shall take effect fifteen (15) days after publication in a newspaper of general circulation and three (3) certified true copies furnished the University of the Philippines Law Center.

Quezon City, Philippines,