

**[NTC MEMORANDUM CIRCULAR NO. 3-3-96,
March 04, 1996]**

**REVIEW, ALLOCATION AND ASSIGNMENT OF THE RADIO
SPECTRUM**

Pursuant to Rule 600 of MC 8-9-95, Implementing Rules and Regulations on RA 7925 the following guidelines are hereby promulgated.

601

Review and Allocation of Radio Spectrum

a. The National Radio Frequency Allocation Table (NRFAT) shall be reviewed once every two years during the second quarter and maybe revised or amended as necessary. Provided however, the foregoing activities may also be conducted anytime where:

a.1 National security so requires;

a.2 The Commission deems it necessary and essential to the interest of the country; or

a.3 The Philippines has a Regional and/or International commitment as Member signatory to bilateral or multilateral agreements duly entered into by governments.

b. The review, re-allocation and revision of the radio spectrum allocation shall be conducted in consultation with the industry and/or affected parties with the end in view of optimizing the use of the radio spectrum.

c. The National Radio Frequency Allocation Table is a public document which shall be made available to all upon request.

d. The National Radio Frequency Allocation Table shall be in accordance with the International Table of Radio Frequency Allocation issued by the International Telecommunications Union (ITU), consistent with national priorities and demand for frequency usage.

e. The Commission shall allocate the public telecommunications entities (PTEs) available radio frequencies required to satisfy demand for customer access for the next ten (10) years based on justified target demand and the result of radio frequency planning study.

f. Reallocations made in the radio spectrum must take into consideration allocations of frequencies for customer access services, broadcast services, maritime, aeronautical and other safety services, military and government radio stations/

networks operated to promote or serve national interest.

g. Any frequency allocation in the Public Land Mobile and Fixed Services, shall be technology neutral. Users of the radio spectrum shall be encouraged to use state of the art technologies and to use minimum channel band width and power output without sacrificing efficiency and service reliability.

602

Frequency Assignment Authorization

a. New radio frequency assignment shall be made strictly in accordance with the approved and current National Radio Frequency Allocation Table issued by the National Telecommunications Commission.

b. Previous assignments not in conformity with the approved and current National Frequency Allocation Table shall be recalled. Those affected shall be re-located based on availability of frequency/ies. Special efforts shall be extended by the Commission to assist those affected.

c. A review of assigned radio frequencies to determine compliance with authorizations issued to authorized users shall be conducted periodically.

d. Additional radio frequencies may be assigned to public telecommunication entities (PTEs) to satisfy demand for services authorized to be offered upon submission of information to include among others, total number of subscribers by operator, number of subscribers per radio channel and number of operating radio stations to justify the additional grant.

e. Assigned radio frequencies to private networks covered by valid permits and licenses issued by the Commission unused for a period of at least one (1) year from date of issuance of permits and licenses shall be recalled after service of notice in writing. Radio frequencies assigned to PTEs unused for at least one (1) year from the date of issuance of permits and licenses may be recalled after service of notice and hearing.

f. No reservation of radio frequency channels or bands shall be allowed.

g. Permits to purchase/import radio equipment shall be issued to users when the specific radio frequency channels/band has been assigned to the applicant.

603

Transfer of Affected Authorized Radio Frequency Users

a. The Commission shall allocate available radio frequencies for assignment to those affected by the reallocation as a result of the review of the radio spectrum pursuant to Rule 601.

b. The cost of the transfer to new radio frequencies of affected authorized users shall be borne by the new assignees to the radio frequency channel/band where the radio frequencies of the previously authorized users fall within.