**NBTC welcomes the Year of the Horse – the Year of Development of Telecommunications Capabilities for Thais. Entering a New Mode towards 1800 MHz Spectrum Auction!**

 Dr. Suthiphon Thaveechaiyagarn, National Broadcasting and Telecommunications Commissioner (NBTC Commissioner) and Telecommunications Committee Member (TC Committee Member), revealed that for the first two years, in the role of NBTC Commissioner as the legal expert on telecommunications, the focus was on reviewing and amending rules and regulations relating to telecommunications to ensure that the rules and regulations can catch up with today’s technology. Therefore, the direction of NBTC’s work on telecommunications in 2014 should be “The Year of Development of Telecommunications Capabilities for Thais” so that NBTC’s policy is in-line with the up-coming 1800 MHz spectrum auction. The auction would mark a shift from 3G to 4G technology for Thailand. Since the concession on 900 MHz spectrum is ending in 2015, NBTC is interested to explore the possibility of auctioning the 900 MHz spectrum at the same time as the 1800 MHz spectrum. Currently, ITU specialists in cooperating with NBTC experts are studying the feasibility. However, NBTC will make sure that the public will be involved in the process from the beginning.

 In driving NBTC’s work in 2014 effectively, NBTC needs to prepare all relevant elements to be ready for the mode of the 1800 MHz spectrum auction. For example, by early 2014 NBTC is expected to issue the new NBTC Notification on phone number assignment which revised the out-of date notification in preparation for 4G technology.

 Because of the success of the 2100 MHz spectrum auction (3G auction) in late 2012, NBTC has observed tremendous expansion of 3G technology services. Together with the up-coming 4G technology in the late 2014 to the beginning of 2015, it is inevitable that more disputes on mobile services between consumers and operators could result. Consequently, NBTC has to develop effective mechanisms to protect consumers from effects of the increase of telecommunications capabilities.

In order to cope with the situation above, NBTC needs to speed up the drafting process and the consideration of the three notifications: the first would clarify the types of actions that are considered “unfair” to consumers; the second would protect consumers’ personal information; and the third would provide consumers with better channel to file complaints and obtain results of the dispute resolution. With the enforcement of the three notifications, consumers will receive more effective protection.

 Moreover, in 2014, NBTC will move forward the work of the Telecommunication Mediation Center (TMC) recently inaugurated to be a live center with emphasis on providing necessary information to consumers and operators so that this center can play as a better choice of forum in resoluting disputes in a more complete manner. Further, NBTC aims to improve mediation technique continuously for the most effective result of mediation. At the same time, TMC must actively pursue its mission by increasing public understanding and awareness as well as working in parallel with the other relevant agencies and the Call Center 1200 in order to remedy consumers’ problems more effectively.

 NBTC will also focus on strengthening public involvement in the telecommunications service industry. One important channel is through the Public Involvement Sub-Committee to improve the working of NBTC Board and Office. In addition to involving the public in the process of rule and regulation issuance, NBTC also plans to involve watch dog agencies and academia in relevant fields in the public forum from the beginning to prevent any miscommunication or missing of information. In the case of 1800 MHz and 900 MHz spectrum auctions, NBTC will proceed with the auction procedure in a concrete manner. NBTC will outline in clear details each process of the auction, focusing on transparency to ensure that the outcome best benefit the country and the public.

 Due to fast changing technology in telecommunications industry, it is necessary to bring some knowledge and technique abroad to apply to Thailand’s telecommunications industry. Therefore, NBTC has continued to work closely with regional and global organizations to study the workings of those in the same industry outside Thailand. NBTC will sign MOUs with more countries for further cooperation to exchange and gain best practices which can be applied to improve NBTC’s operational techniques.

 Dr. Suthiphon also remarks that there is another long-standing problem regarding the communication satellite services. Because the Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010) (NBTC 2010 Act) defines “telecommunications service” to include communication satellite service, NBTC also has the duty to regulate communication satellite service. However, the Telecommunications Business Act B.E. 2544 (2001), which details the ways in which telecommunications service is to be regulated, left out details on communication satellite service. This makes it extremely difficult for NBTC to regulate communication satellite service.

 NBTC’s short term solution is to have a sub-committee issue a notification on the granting of communication satellite service license. But the notification is issued pursuant to the Telecommunications Business Act and cannot exceed the scope of the Act. Therefore, NBTC cannot oversee the fee charged on the operation of the communication satellite service that does not use radio frequency in the same manner as when the communication satellite was under the state concessions, i.e., before the enforcement of the NBTC 2010 Act. Dr. Suthiphon opines that for a long-term solution, a communication satellite act needs to be drafted to specifically regulate the service, which is different in nature from the telecommunications service. That way, NBTC can ensure that communication satellite service operation best benefit the public.

 Another task for the year 2014 is the adjustment of the 700 MHz spectrum to be harmonized with that of our neighboring countries. Most have assigned this spectrum for telecommunications service following international standard, but in Thailand, such spectrum is still used for broadcasting and television service. Thus, Thailand should review its radio frequency assignment to comply with international standard to prevent any future interference with our neighbors.

 In preparation for AEC in 2015, ASEAN member countries need to coordinate their telecommunications policy so that telecommunications service operations in the region move in the same direction. Some type of standards should also be set for dispute resolution between member countries. Perhaps, ASEAN telecommunications mediation center could be one solution.

 In sum, in 2014 NBTC will highlight public participation and integrate all elements needed so that the Thai people benefit most from telecommunications capabilities in Thailand. The 1800 MHz and 900 MHz spectrum auctions also mark another important turning point in Thailand’s telecommunications industry as we move into 4G technology. Finally, a long-term solution regarding communication satellite service is another project worth following up on, due to the limitations of the current law.

 ……………………………………………………………………………..