

TELECOMMUNICATIONS

Mobile users on a train. The prohibition on charging users making phone calls to those in the same network and others at different rates was first put into effect in 2010.

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Price discrimination in focus

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A board member has voiced concerns about the telecom regulator's possible move to roll back an order that bars mobile operators from charging users making phone calls to those in the same network and others at different rates.

The concern was raised by Prawit Leesatapornwongsa, who is the commissioner for consumer protection on the National Broadcasting and Telecommunications Commission (NBTC).

He said he was worried about the NBTC board's move to consider reviewing the prohibition after a push by mobile operators.

The prohibition order was first drafted and put into effect by the now-defunct National Telecommunications

Commission (NTC) in 2010 as part of efforts to ensure customer protection.

After the ban was put in place, four operators — Advanced Info Service (AIS), Total Access Communication (DTAC), TrueMove and Digital Phone Co — lodged a petition against the order with the Central Administrative Court, seeking an order to nullify the ban.

Last year the court dismissed the case, ruling that the NTC's order was legitimate. The four operators later filed an appeal with the Supreme Administrative Court.

This year the operators decided to withdraw the appeal, which was subsequently removed by the court in July. After the appeal was scrapped, the mobile operators have asked the NBTC board to review the ban instead,

Mr Prawit said.

On Sept 23, the NBTC board acknowledged the court's withdrawal of the appeal.

"I am concerned about negotiations behind the move to withdraw the appeal," Mr Prawit said.

If the NBTC board agrees to scrap the prohibition, enabling operators to roll out promotional packages for phone call charges applied to users making phone calls to those inside and outside their networks, it risks violating Section 57 of the Telecommunications Business Act and Clause 17 of the NTC's announcement on the ceiling of telecom service charges, he said.

The NBTC office has a duty to consider whether the operators' promotional packages are lawful, he said, adding that the Central Administrative Court has made it clear that the NTC's prohibition is legitimate.

If different price rates are set, it is the operators' duty to let consumers know which networks they are making phone calls to, Mr Prawit said.

"Consumers may have misunderstood that they are calling in a network with free or cheap service charges," he said. "People can still use the same mobile phone numbers despite switching to other networks through the number portability system."



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PRAWIT LEESATAPORNWONGSA
NBTC commissioner