

**TELECOMS**

# NBTC slapped with court injunction in DTAC case

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The Central Administrative Court issued an injunction yesterday against the National Broadcasting and Telecommunication Commission (NBTC), allowing customers of Total Access Communication Plc (DTAC) to continue using the 850MHz mobile phone spectrum for another three months.

The court order benefits about 95,000 DTAC subscribers, most of them using the 2G service and others for roaming.

The telecom regulator had planned to cut off DTAC's access to the spectrum at midnight today.

DTAC has been locked in a dispute with the telecom regulators over its access to the spectrum when its concession expires.

The NBTC board on Thursday decided in a split decision not to allow the company any leeway when the 28-year contract ends today.

The regulator reportedly stated that the decision was based on DTAC's decision not to participate in an auction for use of the 900MHz spectrum to replace the 850MHz frequency.

Using the 900MHz spectrum would have allowed the company to smoothly migrate the users.

Another major reason for not granting a reprieve was that only 94,625 people still use the 850MHz network — a number the NBTC considers relatively small.

DTAC decided to seek court help, citing the need for subscribers whose

devices use the spectrum to be protected from having their signals cut off.

The country's third-largest mobile operator said the NBTC also provided other telecom operators leeway when their contracts expired.

However, those providers had participated in the frequency auctions once their contracts expired.

The court said in the injunction statement after the ruling that DTAC had the right to protect affected customers until Dec 15.

This means DTAC subscribers using the 850MHz bandwidth have three months to switch to other spectrums operated by the company, or move to another provider.

NBTC secretary-general Takorn Tantasit said the NBTC acknowledged and respected the court's order.

The NBTC board will decide on Wednesday whether or not to appeal the order.

The regulator has the legal right to appeal within 30 days of the court order.

The NBTC also claimed there were several cases in the past when loaded SIM cards were cut off.

The previous auction for the 1800MHz frequency in 2015 was held two years after the contracts expired.

True Move and Digital Phone formerly owned the 1800MHz frequency. The NBTC gave them leeway because no auctions were held at that time.

The board found that offering a remedy period for DTAC would contravene Section 3 of the NBTC's regulations on the matter.

**Takorn: Respects court order**