

Notification of Office of the National Broadcasting and Telecommunications Commission on Criteria for Allocation of Rare Phone Numbers for Mobile Phone Service

Whereas it is expedient to prescribe the criteria for effective, fair, worthwhile and sufficient allocation of rare phone numbers for mobile phone service for service on free and fair competition basis. In addition, for equal and thorough opportunity giving to people in accessibility to rare phone number for mobile phone service and maximum government benefit in consistency with Clause 19 and Clause 81 of the Notification of the National Broadcasting and Telecommunications Commission on Criteria for Allocation and Management of Telecommunication Numbers, prescribing that the National Broadcasting and Telecommunications Commission may prescribe the criteria and special procedure for allocation of rare phone numbers for mobile phone service including rare phone numbers for mobile phone service which have not yet been allocated in accordance with the Notification of the National Telecommunications Commission on Criteria for Allocation and Management of Telecommunication Numbers B.E. 2551 (1998).

By virtue of the provisions in Section 27 (7) and (24), Section 33 in accompany with Section 81 of the Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010), and Section 11, Section 12, Section 13, Section 14, Section 15 and Section 16 of Telecommunication Business Operation Act B.E. 2544 (2001), the National Broadcasting and Telecommunications Commission therefore have prescribed the Criteria for Allocation of Rare Phone Numbers for Mobile Phone Service as follows.

Clause 1 The allocation of rare phone numbers for mobile phone service in any matters which are not particularly prescribed hereunder, the legislation under the Notification of the National Broadcasting and Telecommunications Commission on Criteria for Allocation and Management of Telecommunication Numbers shall come into force as long as it is not in conflict or contradictory hereto.

Clause 2 In this Notification,

“Commission” means the National Broadcasting and Telecommunications Commission.

“Secretary-General” means the Secretary-General of the National Broadcasting and Telecommunications Commission.

“Office” means the Office of the National Broadcasting and Telecommunications Commission.

“Mobile Phone Service Provider” means the licensee of telecommunications business operation that provides mobile phone service in accordance with Telecommunications Business Operation Law, and also includes the licensee of concession or agreement for telecommunications business operation from TOT

Public Company Limited or CAT Telecom Public Company Limited, to provide the existing mobile phone service prior to the enforcement date of Telecommunications Business Operation Act B.E. 2544 (2001).

“Phone Service Provider” means the licensee of telecommunications business operation that provides mobile phone service, fixed phone service and phone service using other technologies in accordance with Telecommunications Business Operation Law, and also includes the licensee of the concession or agreement of telecommunications business operation from TOT Public Company Limited or CAT Telecom Public Company Limited, to provide the existing mobile phone service, fixed phone service and phone service using other technology prior to the enforcement date of Telecommunications Business Operation Act B.E. 2544 (2001).

“Group of Reserved Numbers” means the group of numbers which has not yet been allocated by the Commission to the any mobile phone service provider in accordance with the resolution of the National Telecommunications Commission that has performed the duty of the National Broadcasting and Telecommunications Commission in the Meeting No. 39/2553 on 15 December 2010.

“Rare Number” means phone number for mobile phone service which is 10 digit numbers with the nature of specific numeral sequence as determined by the Office under the principle or form of number determined in the enclosure herewith.

Clause 3 For effective allocation of phone number for mobile phone service to the mobile phone service provider to result in worthiness in use of telecommunication number as well as reflection of value of phone number for mobile phone service to be line with market mechanism, the Office shall arrange bid of rare number. The opportunity is given to the interested general people or juristic person to enable to select rare number in accordance with the criteria and procedure prescribed by the Office.

In organizing the bid of rare number in paragraph one, the Office shall arrange the specialist to be the operator whereas money gained from bid shall be delivered to be public revenue after deduction of expenses. However, the bid expenses include bid management expense, publicity expense and other relevant expenses as appropriate and necessary.

Clause 4 The Office shall appoint a working group to perform the following duties.

(1) Prepare work plan, format and procedure for bid of rare number and group of rare number category to propose to the Commission for consideration on giving consent.

(2) Determine the number of rare numbers launched for bid, date and duration of each bid as well as bid condition and bid operation hereunder to propose to the Secretary-General for consideration on giving consent prior to bid operation.

(3) Control and oversee the organizing of bid for rare number to be in order and propose the Secretary-General to consider cancelling bid, terminating or postponing bid, and rescheduling bid date for rare number in next time. In case that it is deemed that bid is reasonable and believable for secret price settlement, non-transparency, unfairness or other reasonable grounds.

(4) Report the result of each bid organizing for rare number which is completed, simultaneously report the occurred problems and obstacles, and propose the corrective guideline for the relevant problems and obstacles to the Secretary-General and the Commission.

(5) In case that the working group deems as appropriate, it may suggest the Secretary-General to appoint the sub-working group to execute any other relevant acts.

Clause 5 The eligible person in bid participation for rare number such as natural person and juristic person that can possess phone number for mobile phone service legally acquired and is qualified as determined by the Office. Evidential documents shall be submitted and intent shall be expressed in bid participation for rare number as follows.

(1) In Case of Natural Person

(a) Copy of Citizen Identification Card or Copy of Passport (in case of non-Thai Nationality holder) or identification documents issued by the government agency and affixed with certifying signature for proper, complete and valid documents.

(b) In case of none of self-execution, Power of Attorney and Copy of Citizen Identification Card or Copy of Passport (in case of non-Thai Nationality holder) or identification documents issued by the government agency of proxy and attorney and affixed with certifying signature for proper, complete and valid documents, shall be submitted.

(c) Evidential documents or any other details of data determined by the Office.

(2) In Case of Juristic Person

(a) Copy of Certificate of Juristic Person Registration with not more than ninety (90) days term and affixed with document certifying signature by the authorized signatory in binding the juristic person.

(b) Copy of Citizen Identification Card or Copy of Passport (in case of non-Thai Nationality holder), or Copy of Identification Documents issued by the government agency of the authorized signatory in binding juristic person and affixed with certifying signature for proper, complete and valid documents.

(c) In case of authorization for representation, Power of Attorney and Copy of Citizen Identification Card or Copy of Passport (in case of non-Thai Nationality holder) or identification documents

issued by the government agency of proxy and attorney and affixed with certifying signature for proper, complete and valid documents, shall be submitted.

(d) Evidential documents or any other details of data determined by the Office.

However, the participating bidder of rare number shall deposit bidding security in the amount and condition determined by the Office.

Clause 6 The Office simultaneously organizes bid of rare number by any method or several methods as follows.

(1) Verbal Bid such as bidding participation in date, time and place arranged for bid as determined by the Office

(2) Internet Bid such as bidding participation in bidding date and time via website as determined by the Office

(3) Telephone Bid such as bidding participation in bidding date and time via telephone system as determined by the Office

For effective, fair, transparent and thorough bid of rare number without cause of market mechanism distortion as the result of overabundant quantity of number entering into market, the Office has determined the proportion of percentage rate of each group of rare numbers that will be launched for bid as proposed by the working group in Clause 4 in each bid.

In case that the followings are appeared:

(1) The bidder is equal or more than initial bid for just single bidder and such bidder shall award the bid.

(2) The Office shall cancel the bid of that number and consider scheduling new bidding date in case of none of bidder.

In case that the Office organizes the third bid of any number due to none of bidder, the Office shall determine initial bid of that number to be half amount of the primary initial bid

In case that the Office has already organized the third bid of any number and appeared that none of bidder for that number is appeared, the Commission shall further allocate such number with determined method in the Notification of the National Telecommunications Commission on Criteria for Allocation and Management of Telecommunication Numbers or other procedures as determined by the Commission.

Clause 8 The awarded bidder has duty to completely pay rare number, VAT and other related fees within thirty (30) days from the date of which the Office confirms bid result in accordance with condition and procedure determined by the Office. The bid security shall be regarded as part of payment of bid for rare number.

Clause 9 In case that any awarded bidder incompletely pay bidding amount under determined condition in Clause 8, the following shall be effective.

(1) It shall deem that the said awarded bidder waives the right in that number and the Office shall confiscate bid security money for rare number of the said awarded bidder.

(2) In case that the Office launches rare number for re-bid and there is none of bidder or there is bidder but the bid is lower than the primary bid, the awarded bidder who incompletely pays bidding amount shall take responsibility on that margin.

Clause 10 In case that the awarded bidder dies but bidding amount has not yet completely paid, any right and duty arisen or related to the bid for rare number of that person shall be discontinued and the Office shall launch such rare number for re-bid Unless the heir or executor will notify the succession of right to use such number for acknowledgement and completely pay the outstanding bidding amount within sixty (60) days deadline from the death date of the awarded bidder.

Clause 11 The Office shall refund bid security money to the non-awarded bidder who notifies the intention to request for refund of security money within thirty (30) day from the date of which the Office confirms bid result. After such deadline is overdue, it shall be deemed that that non-awarded bidder intends to waive the right to receive bid security money in return and the Office shall deliver such security money as public revenue.

Clause 12 After the awarded bidder's completion of bid in accordance with the condition determined by the Office, the awarded bidder will receive certification of bid result for the said rare number so that such certification will be taken to contact for registering service user and opening service use with the mobile phone service provider determined by the Commission within ninety (90) days from the received date of certification of bid result by the awarded bidder. The use of such rare number shall be in line with the agreement for service provision of mobile phone service provider. However, if such deadline is overdue, it shall be deemed that the awarded bidder waives the right on the bidden number so that the Office will launch for re-bid and the Office will not refund bidding amount already paid by the awarded bidder.

In case the awarded bidder can transfer his/her rare number to other mobile phone service provider if intended after registering for service use under paragraph one, whereas the right of mobile phone number is remained in use of service.

Clause 13 The Office may consider depriving of the participating bidder's right to bid rare number in next time of bid if any participating bidder breaches the condition prescribed by the Office. For example, breach of payment condition for rare number bidding amount, act which is bid barrier or causes improper bid or has the nature of secret price settlement, etc. Nevertheless, it also includes the Managing Director or

any person who is in charge of that juristic person's operation as well as the attorney in bidding participation in case of bidding in the name of juristic person.

Clause 14 The Commission reserves its right to effectively manage telecommunications number as appropriate and necessary in the future and that may affect rare number in accordance with its definition prescribed herein.

Clause 15 The mobile phone service provider and the person entrusted by the Office to organize the bid under Clause 3 paragraph two have duty to preserve and protect the right on the personal data of the participating bidder.

Clause 16 In case that problem of observance hereunder occurs, the Commission shall make a final decision and the Commission's decision shall be final.

Transitory Provision

Clause 17 In allocation of numbers in reserved group, the Office shall organize bid of rare number as determined herein, including phone number for mobile phone service which is required or popular by people. The expert who proposes maximum benefit to the government shall be assigned to manage bid of rare numbers in this reserved group as determined by the Office.

Clause 18 For effective management of numbers under technical suitability, the Commission shall determine and allocate group of reserved numbers for any appropriate mobile phone service provider prior to execution of bid.

The Commission shall allocate category of numbers with the existing group of reserved numbers in determination and allocation for the group of reserved numbers under paragraph one. One category of numbers consists of one hundred groups of numbers and each group of numbers consists of one hundred thousand numbers. The consideration guideline is as follows.

(1) In case that there is single mobile phone service provider that has ever been allocated for numbers in the said category of numbers, the Commission shall determine all groups of reserved numbers to be belonged to the said service provider.

(2) In case that there are more than one mobile phone service providers that have ever been allocated for numbers in the said category of numbers, the Commission shall mainly consider from the position of the groups of reserved numbers as follows.

(2.1) In case that the position of the group of reserved numbers is between the group of numbers allocated for just single mobile phone service provider, the group of reserved numbers shall be determined to be belonged to the said mobile phone service provider.

(2.2) In case that the position of the group of reserved numbers is between the group of numbers allocated for two mobile phone service providers, the group of reserved numbers shall be determined to be belonged to the latter mobile phone service provider.

(2.3) In case that the position of the group of reserved numbers is the first group of numbers or last groups of category of numbers, the group of reserved numbers shall be determined to be belonged to the mobile phone service provider that is allocated for the group of numbers next to or prior to such group of reserved numbers as the case may be.

(3) In case apart from (1) and (2), the Commission shall consider determining as appropriate.

Clause 19 The Office shall notify the mobile phone service provider for acknowledgment of the Commission's consideration result under Clause 18 for execution as follows.

(1) The mobile phone service provider that is allocated for such group of reserved numbers, shall notify other phone service provider for acknowledgement about its mobile phone service in such group of numbers for service provision within fifteen (15) days from the received date of written notice from the Office; and

(2) Other phone service provider shall execute that group of numbers to be inter-communicable within fifteen (15) days from the received date of written notice from the mobile phone service provider that is allocated for numbers in that group of numbers pursuant to the Notification of the National Broadcasting and Telecommunications Commission on Criteria for Allocation and Management of Telecommunication Numbers.

However, the allocation of numbers in the group of numbers under Clause 18 shall be deemed to be absolutely effective after the awarded bidder of rare numbers in that group of reserved numbers has already completely executed in accordance with the condition.

If there is no absolute effective bid of rare numbers in any group of numbers in accordance with this Notification and the Commission will allocate that group of numbers in accordance with the procedure determined in the Notification of NBTC on Criteria for Allocation and Management of Telecommunication Numbers, the Office shall notify the mobile phone service provider that is allocated for that group of numbers to terminate the execution of communication of the group of numbers with other phone service providers.

Clause 20 The mobile phone service provider has duty to pay fee of mobile phone numbers of the group of reserved numbers in accordance with the Notification of the National Broadcasting and Telecommunications Commission on Criteria for Allocation and Management of Telecommunication Numbers and under the following time clause.

(1) In case of rare number with awarded bidder, the fee of numbers shall be paid after the awarded bidder has already registered that number for use of service within fifteen (15) days of the following month.

(2) In case of other numbers in the group of reserved numbers, the fee of numbers shall be paid when the mobile phone service provider starts distributing the remaining phone numbers for mobile phone service in such group of numbers into distribution channel.

The mobile phone service provider has duty to notify the Office for acknowledgement without delay when the bidden rare numbers are registered for use of service by anyone or prior to distribution of numbers in the allocated group of reserved numbers into distribution channel as the case may be.

Clause 21 This Notification shall come into force from the day following from the publication date in the Royal Gazette onwards.

Promulgated on the 26th day of June B.E. 2558 (2015)

Air Chief Marshal Thares Poonsri

Chairman of the National Broadcasting and Telecommunications Commission

**Enclosed Table for Notification of the National Broadcasting and Telecommunications Commission
on Criteria for Allocation of Rare Phone Numbers for Mobile Phone Service**

Format	Sample of Number in 09 Category
0x-xxxx-xxxx	09-9999-9999
09-xxxx-xxxx	09-8888-8888
09-9999-999A	09-9999-9994
09-xxxx-xx90/09-xxxx-xx09 x,y≠9,0	09-6666-6690/09-6666-6609
09-9999-99AB	09-9999-9926
0999-xxx-yyy	09-9911-1888
09-xyyy-yx90 x,y ≠9,0	09-1777-7190
09-Axxxx-xxxx	09-8999-9999
09-x000-y000	09-4000-5000
09-x000-x000	09-6000-6000
09A-xxxx-yyy	09-1555-5999
09-AAxx-xxxx	09-1188-8888
09-ABxx-xxxx	09-1299-9999
09A-B00-C000, B,C ≠, A ≠0	091-500-9000
09B-B00-C000, B ≠ 0 C ≠0	095-500-4000
09B-B00-B000, B ≠ 0	095-500-5000
09-xxxx-yyyy	09-5555-9999
09-xxxx-xyyy	09-4444-4777
09-xxxx-xyyy	09-9999-9944
09-xxxx-xyxy	09-7777-7676
09-xxxx-xxxy	09-7777-7771
09-yxxx-yyyy	09-4666-4444
09-yxxx-xyyy	09-7111-1777
09-yxxx-xyyy	09-5999-9955
09-yxxx-xxxy	09-7444-4447
09-yyxx-yyyy	09-6611-6666
09-yyxx-xyyy	09-4411-1444

Format	Sample of Number in 09 Category
09-yyxx-xyyy	09-8844-4488
09-yyxx-xxxx	09-2244-4442
09-yyxx-yyxx	09-8811-8811
09-xyzz-yx90	09-4177-1490
09-xxxx-xxAB	09-7777-7759
09-Axxx-xxxB	09-8855-5554
09-9999-9ABC	09-9999-9214
09-9xxx-xxxB	09-9444-4448
09A-xxx-yyzz	09-7555-7799
09-ABCC-xxxx	09-1644-9999
09-xyyy-wwzz	09-4488-6677
09-AB-xxx-yyy	09-1699-9888
09-AA-xxx-yyy ,	09-2233-3777
09-Axxx-Byyy when x and y is not 0.	09-1333-4666
09-Axxx-Bxxx when x is not 0.	09-1555-8555
09-xxxx-xABC	09-5555-5498
09-Axxx-xxBC	09-4555-5584
09-Abxx-xxxc	09-4755-5558
09-ABCC-xyxy	09-1599-4646
09-xxxx-ABCD	09-5555-7164
09-Axxx-xBCD	09-1444-4735
09-ABxx-xxCD	09-1655-5548

Remark : X and Y = 0 – 9 Digit with Duplicity, A B C D = 0 – 9 Digit without Duplicity

This translated version is prepared with the sole purpose of facilitating the comprehension of foreign participants in the telecommunication rules and regulations and shall not in any event or by any reason be construed or interpreted as having effect in substitution for supplementary to the Thai version thereof. If its translation to other languages is in contrary to Thai version, the latter shall prevail.

Please note that the translation has not been subjected to an official review by the Office of the National Broadcasting and Telecommunications Commission. The Office of NBTC, accordingly, shall not undertake any responsibility for its accuracy, nor be held liable for any loss or damages arising from or in connection with its use.