



DEPARTMENT ORDER NO. 003
Series of 2018

**DIRECTING THE NATIONAL TELECOMMUNICATIONS COMMISSION (NTC) TO
REVIEW AND MAKE APPROPRIATE ADJUSTMENT ON THE SPECTRUM USER FEES
(SUF) FOR THE 610-790 MHZ, 790-960 MHZ, AND 1710-2025 MHZ
INTERNATIONAL MOBILE TELECOMMUNICATIONS (IMT) FREQUENCY BANDS**

WHEREAS, Section 24, Article II, of the 1987 Philippine Constitution declares that the State recognizes the vital role of communications and information in nation-building;

WHEREAS, Article I of the 1987 Philippine Constitution declares the Philippines has sovereignty or jurisdiction over aerial domains, among others;

WHEREAS, the Department of Information and Communications Technology (DICT) is mandated under Republic Act No. 10844, to be the primary policy, planning, coordinating, implementing, and administrative entity of the Executive Branch of the government that will plan, develop, and promote the national ICT development agenda;

WHEREAS, the National Telecommunications Commission (NTC), as an attached agency of the DICT, is responsible for the review of radio spectrum allocation and assignment in the interest of public service, to keep pace with the development in the wireless technology with the end in view of ensuring wider access to the limited radio spectrum and the use of cost effective technology;

WHEREAS, RA 7925, Article II, Section 4(c) states that the radio frequency spectrum is a scarce public resource that shall be administered in the public interest and in accordance with international agreements and conventions to which the Philippines is a party and granted to the best qualified;

WHEREAS, RA 7925, Article V, Section 15 states that the radio frequency allocation and assignment shall be subject to periodic review. The use thereof shall be subject to reasonable spectrum user fees;

WHEREAS, the International Telecommunications Union (ITU) states that SUF should be reviewed at suitable intervals in order to cater to changes in the economy or advances in technologies resulting in increased demand of a particular band;


WHEREAS, the frequencies 790 to 960 MHz, and 1710 to 2025 MHz were identified as among the International Mobile Telecommunications (IMT) 2000 bands in all three ITU Regions, and the Philippines as a signatory to the international treaty on ITU Radio Regulations identified 610 to 790 MHz as additional frequency bands for the IMT on a regional or national basis; and

WHEREAS, due to the rapid growth of 3G and 4G mobile as well as the global trend towards 5G, it has become necessary for the DICT to encourage and promote the use of currently allocated frequencies such that spectrum user fees shall be applied uniformly and without discrimination to all users under the same classification or category.

NOW THEREFORE, for and in consideration of the foregoing premises, and to ensure the equitable use of valuable and scarce spectrum, the DICT hereby directs the NTC to review and make appropriate adjustment on the Spectrum User Fees for 610 – 790 MHz, 790 – 960 MHz, and 1710 – 2025 MHz IMT bands of frequencies, aligned with optimal spectrum efficiency, economic and social development goals, and spectrum management costs, taking into consideration the best interest of the ordinary Filipino consumer.

This Department Order shall take effect immediately.

13 June 2018


ELISEO M. RIO, JR.
Acting Secretary 