

MEMORANDUM CIRCULAR
NO. 5-11-88

**SUBJECT: RULES AND REGULATIONS GOVERNING THE
ESTABLISHMENT AND OPERATION OF CELLULAR MOBILE
RADIO SYSTEMS.**

Pursuant to the provision of law and in accordance with Department Circular 87-188 which fully encourages the application of state-of-the-art and cost effective technology, the National Telecommunications Commission hereby promulgates the following rules and regulations for the authorization, establishment, operation and maintenance of cellular mobile radio systems.

SECTION 1. PURPOSE

- a. To establish rules and regulations for the authorization, establishment, installation, operation and maintenance of cellular mobile radio systems.
- b. To establish the technical requirements for the operation of cellular mobile radio systems.
- c. To provide for the practical interconnection between cellular radio mobile systems and the local enfranchised telephone systems.

SECTION 2. DEFINITION OF TERMS

- a. Cellular Mobile Radio System – A fully automatic, high capacity radio communication system utilizing extensive re-use of allocated frequencies.
- b. Cellular Mobile Radio Telephone System – A cellular mobile radio system interconnected to the local telephone system or public telephone network.
- c. CCIR – refers to the Consultative Committee on International Radio of the International telecommunications Union (ITU).
- d. CCITT – refers to the Consultative Committee on International Telegraph and Telephone of the International Telecommunications Union (ITU).
- e. Cell – is a geographical area serviced by a particular cell site station.
- f. Cell Stations – are station in the cellular mobile radio systems, by which cellular land mobile stations communicate through the local telephone exchange.
- g. Cell Site – refers to the exact location of a cell station.



- h. Customer Provided Equipment – shall refer only to the cellular mobile radio terminal equipment or handset provided for the subscriber that are authorized by the Commission for interconnection.
- i. Interconnection Agreement – refers to the agreement entered into between the authorized cellular mobile system operator and local telephone system operator approved by the Commission authorizing the former access to the local telephone system.
- j. Local Telephone System – refers to the authorized local telephone system in the certified area, locality or province.

SECTION 3. CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (CPCN)

No person, corporation, association or entity shall be allowed to install, operate and maintain a cellular mobile radio system without a valid franchise and the corresponding Certificate of Public Convenience and Public Necessity (CPCN) issued by the National Telecommunications Commission, after due notice and hearing, subject to the availability of assignable frequencies.

SECTION 4. PERMITS AND LICENSES

- a. For a proposed cell station, the authorized cellular mobile radio system operator shall obtain the following from the Commission:
 - a permit to purchase and possess prior to the acquisition of the required radio equipment.
 - a construction permit prior to the construction and/or installation of the cell station: and
 - a station license prior to the actual operation of the station.
- b. For a proposed cellular land mobile station using equipment to be provided for by the authorized cellular mobile radio system operator, the following shall be obtained from the Commission:
 - a permit to purchase and possess prior to the acquisition of the radio equipment: and
 - a permit to install and operate prior to the installation and operation of the cellular land mobile station.
- c. For a proposed cellular land mobile station with customer provided equipment, the subscriber shall obtain the following from the Commission:



- a permit to purchase and possess prior to the acquisition of the radio equipment; and
 - a permit to install and operate prior to the installation and operation of the cellular land mobile station.
- d. A permit to purchase and possess shall be required from a subscriber for a customer provided equipment provided that the same is duly type approved, compatible for interconnection and the subscriber can present a certification from the authorized cellular mobile radio system operator of the availability of facilities for immediate interconnection.
 - e. A construction permit valid for ninety (90) days shall be issued to the authorized cellular mobile radio system operator for each cell station.
 - f. A permit to install and operate a cellular land mobile station shall be issued in the name of the operator with the name of the subscriber indicated on the permit.
 - g. No station in the cellular mobile radio station system shall be operated except and in accordance with a valid station permit/license. A station license shall be issued to each and every cell station in the system valid for not more than three (3) years.
 - h. Any modification of station permit/license shall require the approval of the Commission.
 - i. The Commission may issue a duplicate of station license and a permit to operate a cellular mobile radio system upon presentation of a valid justification.
 - j. Cellular land mobile station operators must be holders of a cellular land mobile radio operators certificate.
 - k. The Commission shall provide adequate procedures to simplify the issuance of permits and licenses required under this Circular.

SECTION 5. TECHNICAL REQUIREMENTS

- a. The operation of a cellular mobile radio system shall be in accordance with accepted CCIR and CCITT recommendations and with the national frequency allocation table.
- b. The following frequency bands are allocated for use in the cellular mobile radio system:
 - 825 – 845 MHz : Base Station received band
 - 870 – 890 MHz : Base Station Transmit band



- 890 – 915 MHz : Base Station received band
- 935 – 960 MHz : Base Station transmit band

These shall be subject to change or revision by the Commission.

- c. Only type approved equipment shall be installed and operated in any cellular mobile radio system in the Philippines.
- d. The effective radiated power and tower heights of each cell station shall not exceed that which will provide reliable coverage and as determined by the Commission.
- e. Every effort must be undertaken to minimize inter-system and intra-system interference with existing users in the same band and in the same general coverage area.

SECTION 6. INTERCONNECTION

A local telephone system must allow interconnection with an authorized cellular mobile radio system under comparatively efficient interconnection parameters (CEI). The operators of both systems shall enter into an interconnection agreement, defining the terms and condition for interconnection, and submit the same for approval to the Commission.

SECTION 7. RATES TO BE CHARGED

No authorized cellular mobile radio system operator shall charge rates over than those specified and authorized by the Commission.

SECTION 8. RESPONSIBILITIES OF THE AUTHORIZED CELLULAR MOBILE RADIO SYSTEM OPERATORS AND OF SUBSCRIBERS

1. Submit a list of all facilities used in the operation of the cellular mobile radio system:
2. Submit a list of all subscribers and facilities pertinent to the operation of the cellular mobile radio system, an updated list thereof and any permanent disconnections;
3. Maintain the integrity and quality of service of the cellular mobile radio systems and operate the same in such a manner so as not to impair the integrity and quality of the local telephone system:
4. Strictly comply and operate in accordance with this Circular;
5. Institute remedial action to eliminate harmful interference that may occur in the cellular mobile radio system; and



6. Submit to the Commission such other reports, data, information etc. as the Commission may require from time to time.

The cellular mobile radio subscriber shall :

1. Use and operate the cellular mobile radio equipment in such a manner as to ensure and maintain the integrity and quality of service of the cellular mobile radio communication system; and
2. Avoid any act that shall modify or alter the normal operation of the cellular mobile radio equipment.
3. Be prohibited from using any attachments to the cellular mobile radio equipment not authorized by the Commission.

SECTION 9. SCHEDULE OF FEES

The fees to be charged shall be those authorized by the Commission.

SECTION 10. VILATIONS

Any violation or in fraction of any telecommunications law and this Circular by any person, corporation, entity, subscriber or an authorized operator shall be a cause for the suspension, cancellation or revocation of all authorizations or a ground for administrative sanction by the Commission.

SECTION 11. REPEALING CLAUSE

Any circular or memorandum, rules and regulations which are in conflict with this Circular shall be deemed superseded, amended or repealed.

SCETION 12. EFFECTIVITY

This Circular shall take effect immediately and may be revised, amended or repealed as the Commission deems fit.

Quezon City, Philippines

JOSE LUIS A. ALCUAZ
COMMISSIONER



