

MEMORANDUM CIRCULAR
NO. 10-18-90

SUBJECT: RULES AND REGULATIONS GOVERNING PUBLIC REPEATER NETWORK SERVICES IN THE PHILIPPINES.

Pursuant to the provisions of Act No. 3846, as amended, Act No. 146, as amended, known as the Public Service Act, and Executive Order No. 546 dated 23 July 1979, the National Telecommunications Commission hereby promulgates the following rules and regulations governing Public Repeater Network Services (PRNS) in the Philippines.

1.0 PURPOSE

- 1.1 To establish rules and regulations for the authorization installation, operation and maintenance of public repeater networks in the Philippines, and to establish the technical requirements for the operation and maintenance thereof.

2.0 DEFINITION OF TERMS

- 2.1 Public Repeater Network – a public radio communications system offering radio repeater services for the use of the general public at rates authorized by the Commission.
- 2.2 Public Repeater Network Service – a service provided by a public repeater network grantee-operator.
- 2.3 Shared Repeater Service – a kind of public repeater network service wherein a group of users share a common communication path.
- 2.4 Trunked Repeater Service – a kind of public repeater network service wherein a large number of subscribers share a group of communication paths.
- 2.5 Repeater Station – a fixed radio station established for the automatic retransmission of radio signals received from one or more mobile station/s on one frequency and directed to mobile station/s on another frequency or vice-versa.
- 2.6 Mobile Station – a station in the land mobile service capable of surface movement within the geographical limits of a country and intended to be used while in motion or during halts at unspecified points/locations.
- 2.7 Portable Station – a mobile station in the land mobile service which can be conveniently moved from one place to another or carried in person and intended to be used while in motion or during temporary halts.
- 2.8 Porta-Mobile Station – a mobile station in the land mobile service, which can be operated alternately as a land mobile station if, mounted onboard a motorized vehicle or a portable station if carried in person.
- 2.9 Radio Station – a radio installation consisting of a separate radio transmitting and receiving apparatus or combination of a radio transmitting and/or receiving equipment including antennas and other

accessory equipment required for carrying on a definite radio communications service.

- 2.10 Franchise – a particular privilege conferred by a grant from the government/congress and vested in an individual, partnership or corporation.
- 2.11 Certificate of Public Convenience and Necessity (CPCN) – is an authority from the Commission granted to an applicant legally qualified in accordance with the constitution and Public Service Act, as amended, for the operation and/or provision of public services within the Philippines where the Commission finds justification that the operation or provision of the public service will promote the public interest in a proper and suitable manner.
- 2.12 Commission – The National Telecommunications Commission.

3.0 AUTHORIZATION, PERMITS AND LICENSES

3.1 FRANCHISE AND CPCN

- 3.1.1 No, person, corporation, association or entity shall be allowed to install, operate and maintain a Public Repeater Network in any part of the country without first obtaining a valid franchise from the Congress of the Philippines and the corresponding Certificate of Public Convenience and Necessity issued by the Commission after due notice and hearing.
- 3.1.2 No person, corporation, association or entity may apply for a Certificate of Public Convenience and Necessity to install, operate and maintain a Public Repeater Network without sufficient capital at the minimum to cover the cost of the facilities and equipment necessary to provide efficient and reliable services, without having shown substantial proof of economic viability of proposed operations; without legal and technical capability to provide the service,
- 3.1.3 The Commission shall continuously update the required minimum amount of capitalization based on current and/or prevailing costs

3.2 SCOPE OF AUTHORIZATION

- 3.2.1 The grantee of a CPCN to operate a public repeater network may be authorized to offer to the public any of the following services:
 - 3.2.1.1 Shared Repeater Service as defined in 2.3 of this circular.
 - 3.2.1.2 Trunked Repeater Service as defined in 2.4 of this circular.
- 3.2.2 The operator of PRNS may be allowed to offer its subscribers the following classes of stations:

- a. Portable stations
- b. Porta-mobile stations
- c. Mobile Stations

3.3 PERMITS AND LICENSES

- 3.3.1 No permit to purchase, a permit to possess and construction permit, or a station license shall be issued to an applicant for a public repeater network service without first obtaining a CPCN from the Commission.
- 3.3.2 No person, corporation, association or entity shall be allowed to install, operate and maintain a public repeater network without first obtaining the following permits from the Commission:
 - 3.3.2.1 Permit to Purchase prior to the acquisition of the required radio equipment for repeater station.
 - 3.3.2.2 Permit to Possess and Construction Permit Prior to the construction and/or installation of the repeater station.
 - 3.3.2.3 Station License prior to the operation of the repeater station.
- 3.3.3 All subscribers’ radio stations shall be covered by permit to purchase/possess issued in the name of owner.
- 3.3.4 No construction permit, station license or any rights thereunder shall be transferred, assigned or disposed of in any manner to any person or entity except upon application with and approval by the Commission.
- 3.3.5 All radio station shall be operated in accordance with the provisions of the license and certificate issued by the Commission.

4.0 TECHNICAL STANDARDS

- 4.1 The following requirements shall apply to the operation of a public repeater network:
 - 4.1.1 Frequency

The Commission shall assign the required frequency (ies) to a PRNS grantee-operator’s repeater station within the following frequency bands:

VHF (HIGH)BAND 244.0 – 267.0 MHz

- A. 244.0 – 246.0 MHz (TX)
- 274.0 – 249 (RX)

- B. 250.0 – 252.0 MHz (TX)
253.0 – 255.0 (RX)
- C. 256.0 – 258.0 MHz (TX)
259.0 – 261.0
- D. 262.0 – 264.0 MHz (TX)
265.0 – 267.0

UHF BAND 487.5 – 511.700 MHz

- A. 487.500 – 491.500 MHz (TX)
492.500 – 496.500 (RX)
- B. 497.500 – 490.00 MHz (TX)
502.500 – 505.00 (RX)
- C. 482.150 – 486.225 (TX)
507.625 – 511.700 (RX)

UHF (HIGH) BAND 806.0 – 851.0 MHz

- A. 806-0 – 825.0 MHz (TX)
845.0 – 851.0 (RX)

The grantee-operator shall operate the repeater station within the prescribed frequency tolerance in accordance with the International Radio Regulations Appendix 3 (1976 Edition, Revised in 1979).

4.1.2 Power

The power output of the repeater should not be more than the actual power necessary for satisfactory operation within the authorized service area, In case of harmful interference, the Commission may order a change in power or antenna height or both.

5.0 RATES

- 5.1 No rates shall be charged by the public repeater network service grantee-operator to its subscribers other than those authorized by the Commission.

6.0 RESPONSIBILITIES

6.1 The following are the responsibilities of the public repeater network service grantee-operator:

- 6.1.1 Shall make sure that all its subscribers are well informed of the pertinent provisions of Act No. 3846, as amended, as well as the applicable rules and regulations promulgated thereunder.
- 6.1.2 Shall accept without discrimination all applications for subscription of qualified individuals/entities.
- 6.1.3 Shall be responsible for obtaining the required permits and licenses for any of stations of its subscribers.
- 6.1.4 Shall operate in accordance with its Certificate of Public Convenience and Necessity and pertinent radio station licenses and permits.
- 6.1.5 Shall use only type-approved or type-accepted radio equipment and shall make sure that its subscribers are using type-approved or type-accepted radio equipment. Type-approved or type-accepted radio equipment shall mean those radio equipment's which were tested and type-approved or accepted by the Commission
- 6.1.6 Shall submit to the Commission on a monthly basis a list of its facilities and subscribers.
- 6.1.7 Shall maintain an efficient and acceptable grade of service and shall see to it that the network will not cause harmful interference to its subscribers and to other existing authorized radio stations and networks.
- 6.1.8 Shall report to the Commission within 24 hours any and all subscriber whose subscription has been discontinued.

6.2 The following are the responsibilities of the PRNS subscribers:

- 6.2.1 Shall not use any other equipment except those authorized for subscription to PRNS.
- 6.2.2 May provide his/her/its own radio equipment for subscription to the PRNS provided that said radio equipment is type-approved/accepted by the Commission.
- 6.2.3 Shall surrender his/her/its radio station license upon cancellation, termination or discontinuance of his/her/its subscription.

7.0 SANCTION

- 7.1 Any section, association, corporation, firm, entity and/or subscriber who violates the provisions of this circular shall be dealt with in accordance with law.
- 7.2 The Commission shall revoke or cancel any certificate, permit and license for violation of telecommunications law, rules and regulations.

8.0 FEES AND CHARGES

8.1 All fees and charges shall be in accordance with the schedule as set or to be determined by the Commission

9.0 REPEALING CLAUSE

9.1 All rules and regulations, circulars, memoranda and orders inconsistent herewith are hereby repealed.

10.0 EFFECTIVITY

10.1 This circular shall take effect immediately and may from time to time be altered or amended as warranted by existing conditions and state of the art in telecommunications.

City of Quezon, Philippines October 18, 1990.

JOSEFINA T. LICHAUCO
Acting Commissioner

FLORENTINO L. AMPIL
Deputy Commissioner

FIDELQ Q. DURLAO
Deputy Commissioner