

LICENSING OF TELECOM SECTOR

Telecom Licensing Bureau

Sangnapa Rangkasiri Pojchara Chuarrot Pitchayanuch Chalacheva





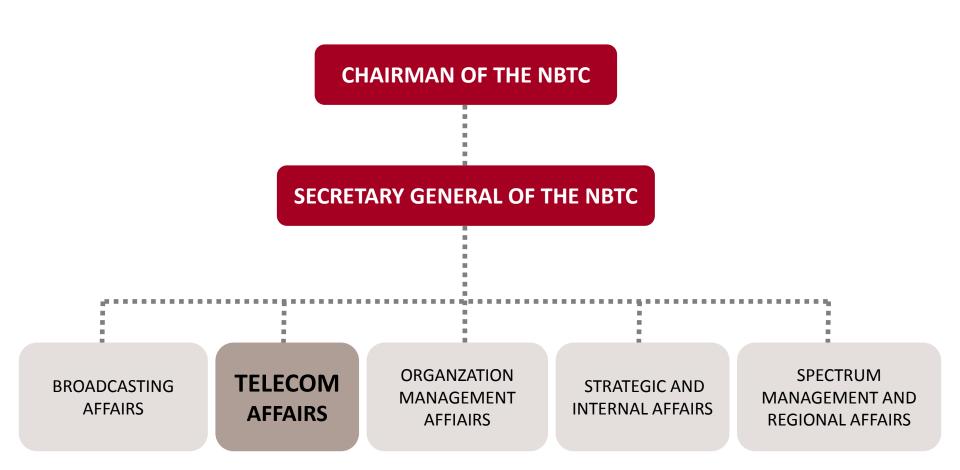
LICENSING OF TELECOM SECTOR

- **NBTC ORGANIZATION STRUCTURE**
- **TELECOM SERVICE REGULATIONS**
 - **TELECOM SERVICE DEFINITIONS**
- \equiv TYPE OF TELECOM LICENSE
- **LICENSING PROCEDURES**
- LICENSE DURATIONS
- **STATISTICS OF FACILITY AND SERVICE BASED LICENSEES**
- 🗳 LICENSING FEE



LICENSING REVENUES IN 2019

NBTC ORGANIZATION STRUCTURE





TELECOM SERVICE REGULATIONS



ACT on Telecommunications Definitions

- Telecommunications Act B.E. 2544 (2001)
- Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010)

NBTC/NTC Notifications on Licensing Granting

- Re: Nature and Categories of Telecommunications Business
- Re: Criteria and Procedure for Granting Type Three Telecommunication Business License
- Re: Criteria and Procedure for Granting Type Two Telecommunication Business License
- Re: Criteria and Procedure for Granting Type One Telecommunication Business License
- Re: Application Process for Type Three License for IIG and NIX
- Re: Application Process for Type Two License for IIG and NIX (Automatic License) ETC.

Remarks: Licensing from Frequency auctions :

• Re: Criteria and procedure for the Licensing of Spectrum for Telecom service in the frequency Band of 1800 MHz (AND Re: 900 MHz, Re: 2100 MHz ETC.)





- Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010)
- Telecommunications Act B.E. 2544 (2001)

"Telecommunications service" a service which provides the emission, transmission or reception of signs, signals, writing, digits, images, sounds, codes or intelligence of any nature by means of Hertzian, wire, optical, electromagnetic, or any other system, or a combination thereof, and shall include the communication satellite service or other business prescribed as telecommunications services by the NBTC but not including sound broadcasting, television broadcasting, and radiocommunication services.

"Telecommunication business" the operation in the nature of supplying telecommunications services to other persons.





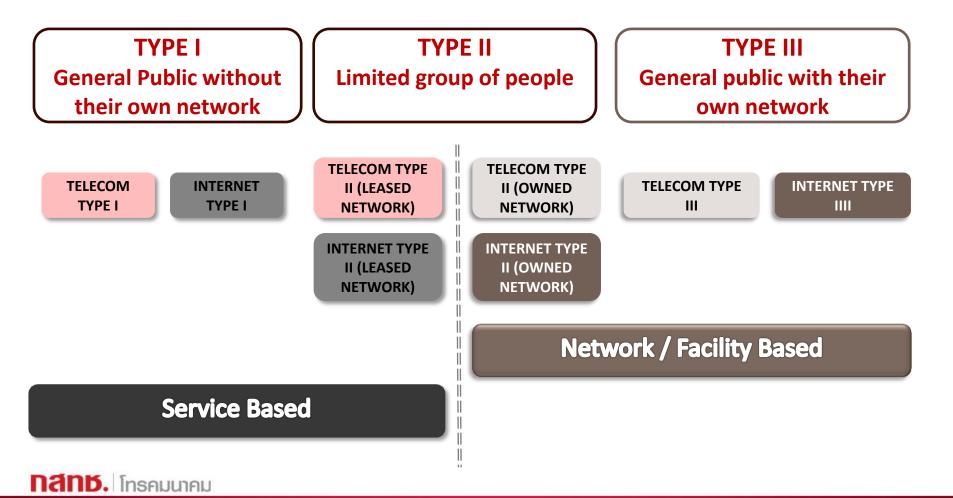
SECTION 7 OF TELECOM BUSINESS ACT B.E. 2544

	ΤΥΡΕ Ι	ΤΥΡΕ ΙΙ	TYPE III	
Network	×	× / √	\checkmark	
Objective	open to free competition between service providers	intended for a limited group of people, service	intended for the general public	
Impact on free and fair competition	-	cause no significant impact on free and fair competition	cause a significant impact on free and fair competition	
impact on public interest or consumers	-	cause no significant impact on the public interest or consumers	cause a significant impact on the public interest	
			require special consumer protection	



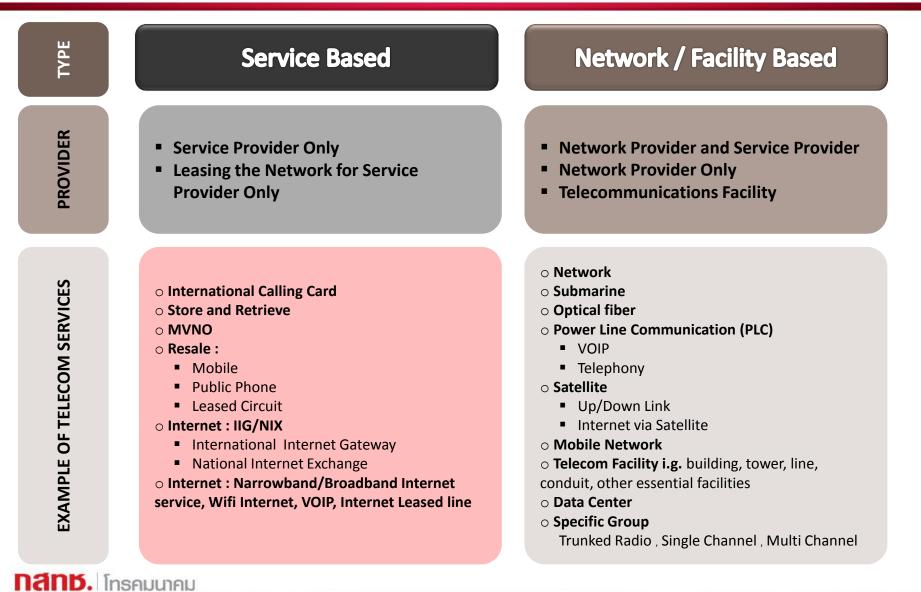


TELECOM/INTERNET LICENSES



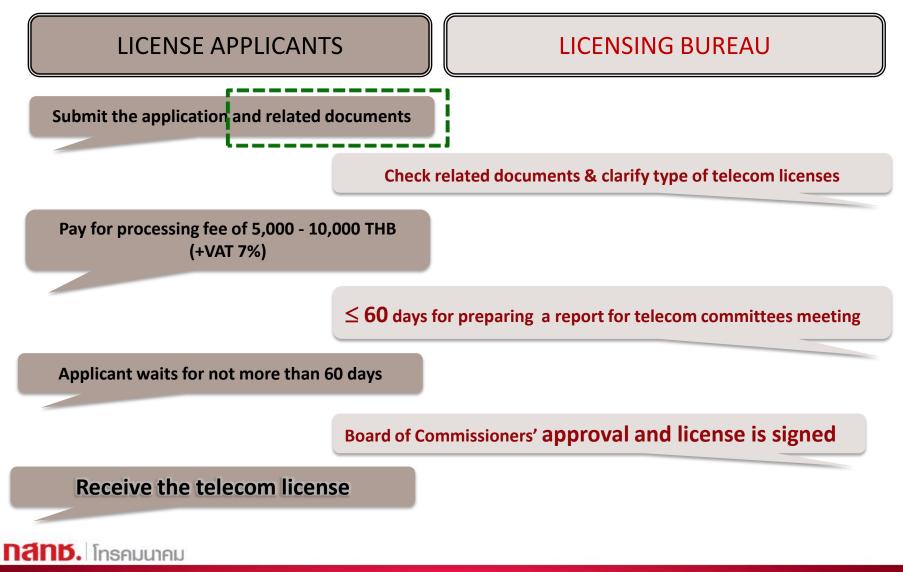
Ξ EXAMPLE OF TELECOM SERVICES











DOCUMENTS FOR LICENSE APPLICATION



Evidence of corporate applicants - Copy of Corporate registration Related documents for application certificate - Copy of memorandum of association Information on past business performance and future business plans : - Services provided, Financial records Information on future business and investment plans: - future services planed - Marketing plan, source of funding,

โทรคมนาคเ

Administrative structure information

- Organization chart
- Corporate profile

Application

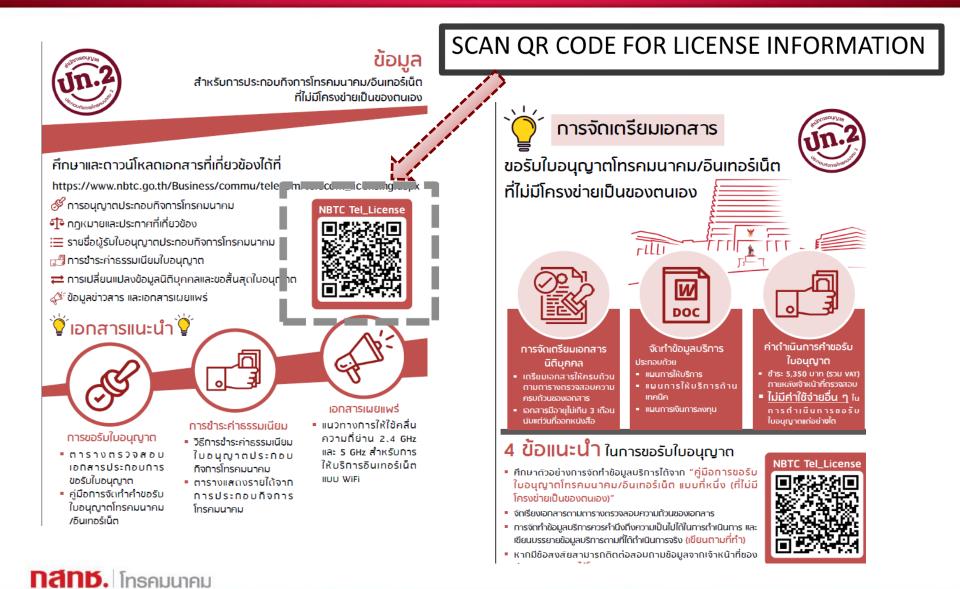
business projections, etc.

Technical and Technological Information :

- Technical Specification
- Network Configuration and Network Element
- Network deploy (if any)







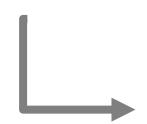


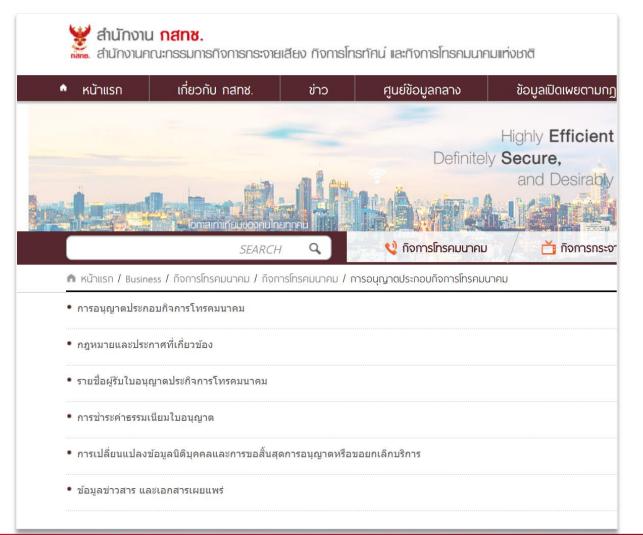


https://www.nbtc.go.th/Business/commu/telecom/telecom_licensing.aspx



กลักษ. โทรคมนาคม



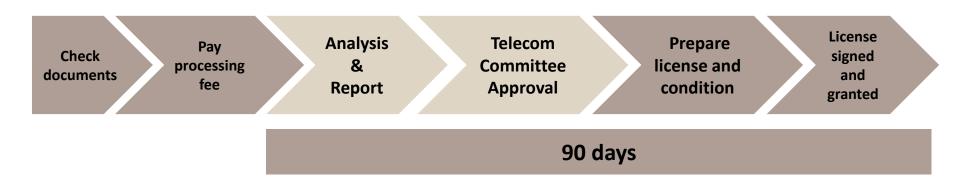




FAST TRACK PROCEDURES (AUTOMATIC LICENSE)



REGULAR PROCEDURES









FAST TRACK PROCEDURES (AUTOMATIC LICENSE)

- **Type I : Internet Service License**
- Type I : Telecom services; including,
 - International Telephone Card
 - Resale Public Telephone
 - Electronic Facsimile
- Type II : License for IIG and NIX
- Resale services such as ISDN, GPRS, Leasedline, MPLS, VSAT, IP VPN, IPLC

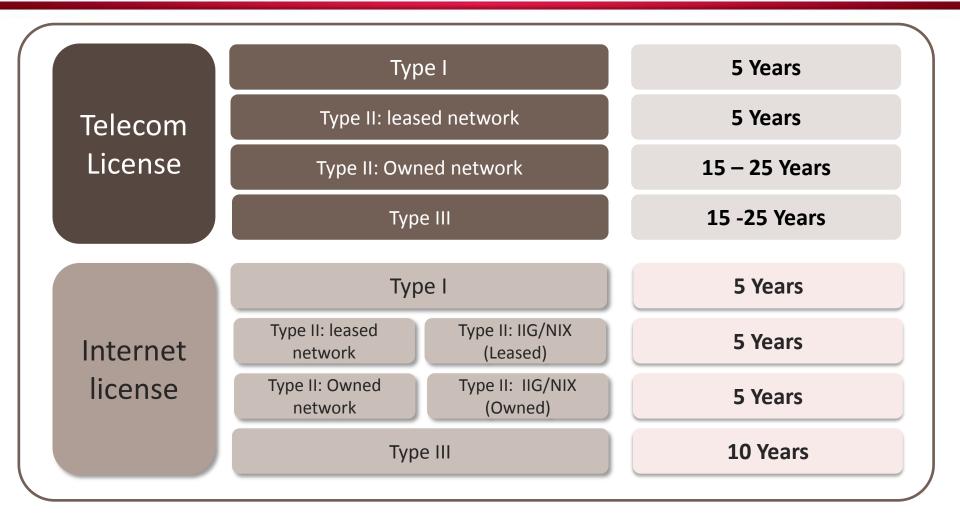
REGULAR PROCEDURES

ALL ASIDES FROM AUTOMATIC LICENSE SUCH AS TYPE III SERVICES







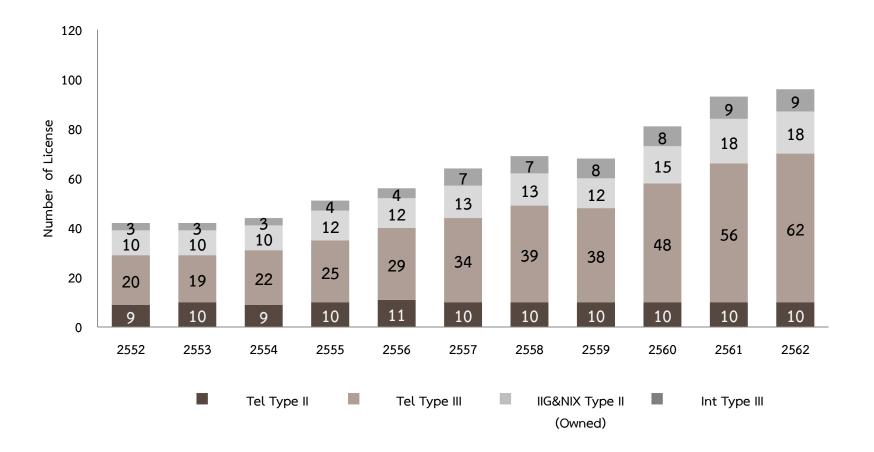




STATISTICS OF FACILITY BASED LICENSEES

(Not include spectrum licensees 900, 1800 และ 2100 MHz licensees)

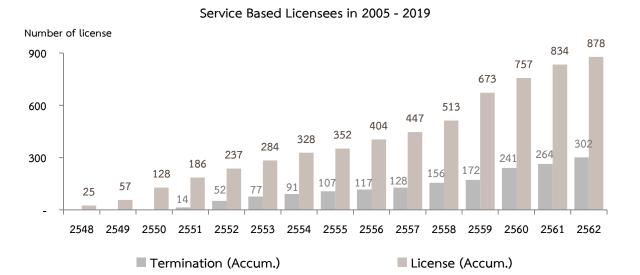
Total 96 Licenses



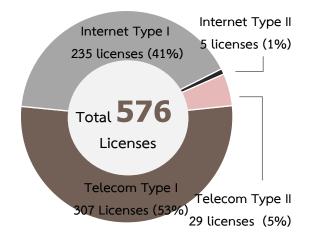
Remarks : Data as of 18 July 2019

STATISTICS OF SERVICE BASED LICENSEES



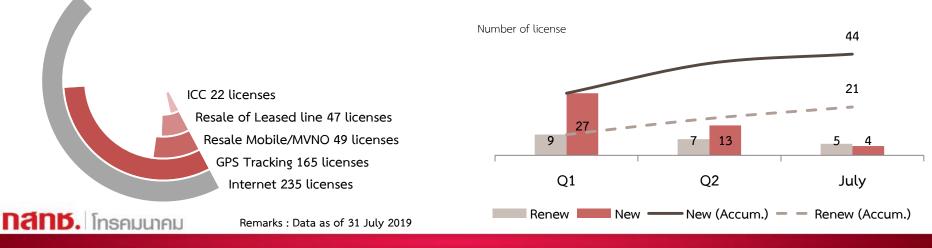


Numbers of Service Based Licenses



5 Highest Ranks of Services by number of licenses

Number of Service Based Licese Granting in 2019







PROCESSING FEE

FACILITY BASED: 10,000 THB SERVICE BASED : 5,000 THB

LICENSE RENEWAL FEE

FACILITY BASED: 10,000 THB SERVICE BASED : 0

LICENSING FEE PER ANNUM

0 - 100 MB	0.125%
100 MB < Revenue < 500 MB	0.25%
500 MB < Revenue < 1,000 MB	0.5%
1,000 MB < Revenue < 10,000 MB	0.75%
10,000 MB < Revenue < 25,000 MB	1.0%
25,000 MB < Revenue < 50,000 MB	1.25%
> 50,000 MB	1.5%

• Annual payment within 150 days from the end of budget/fiscal year

• Pay once a year Late fee is 1.5% of arrears



www.tclicense.nbtc.go.th



การชำระค่าธรรมเนียมใบอนุญาต ประกอบกิจการโทรคมนาคม

หน้าแรก | วิธีการขำระค่าธรรมเนียม | เอกสารประกอบการตรวจสอบ | ประกาศ กสทช.

ผู้รับใบอนุญาตประกอบกิจการโทรคมนาคมจะต้องชำระค่าธรรมเนียมใบอนุญาตประกอบกิจการโทรคมนาคม ภายใน 150 วัน นับจากวันสิ้นรอบ ระยะเวลาบัญชี ตามประกาศ กสทช. เรื่อง ค่าธรรมเนียมใบอนุญาตประกอบกิจการโทรคมนาคม และที่แก้ไขเพิ่มเดิม สำนักงาน กสทช. ได้จัดทำเอกสารวิธี การชำระค่าธรรมเนียมใบอนุญาต และรายการเอกสารประกอบการตรวจสอบการชำระค่าธรรมเนียมใบอนุญาต เพื่อความสะดวกรวดเร็วในการชำระค่า ธรรมเนียมของผู้รับใบอนุญาต และการตรวจสอบของสำนักงาน กสทช. โดยมีวิธีการและเอกสารประกอบ ดังนี้

- วิธีการขำระค่าธรรมเนียมใบอนุญาตประกอบกิจการโทรคมนาคม คลิกที่นี่
- 2) เอกสารประกอบการตรวจสอบการขำระค่าธรรมเนียม คลิกที่นี่
- ประกาศ กสทช. เรื่องค่าธรรมเนียมใบอนุญาตประกอบกิจการโทรคมนาคมคลิกที่นี่
- 4) NEW ประกาศ กสทช. เรื่องค่าธรรมเนียมใบอนุญาตประกอบกิจการโทรคมนาคม (ฉบับที่ 2)คลิกที่นี่
- 5) โปรแกรมช่วยคำนวณค่าธรรมเนียมใบอนุญาตประกอบกิจการโทรคมนาคม สำหรับรอบบัญชี<u>ก่อน</u>ปี 2560<mark>คลิกที่นี่</mark>
- 6) № โปรแกรมช่วยคำนวณค่าธรรมเนียมใบอนุญาตประกอบกิจการโทรคมนาคม สำหรับรอบบัญชีปี 2560 เป็นต้นไปคลิกที่นี่
- 7) การขำระค่าธรรมเนียมใบอนุญาตประกอบกิจการโทรคมนาคมผ่านระบบ e-Payment (เข้าสู่ระบบ / คู่มือการใช้งานระบบ e-Payment)







www.telecomfee.nbtc.go.th

e-Payment ระบบการช่าระค่าธรรมเนียม ใบอนุญาตประกอบทิจการโทรคมนาคม	XXXXXX
e-Payment	มักการอนุญาตประกอบกิจการโกรคมนาคม ▲ Your username Your password เข้าสู่ระบบ

- Licensee details ; Name, addresses, license number, license date (start/end)
- Fee calculation and Fee payment ; current and previous year licensee fee payment
- Previous payment record , etc.







IN MILLION BAHT

TYPE OF LICENSE		TOTAL REVENUE	LICENSE FEE
SERVICE BASED	ΤΥΡΕ Ι	93,474.39	898.49
	TYPE II	450.76	0.58
FACILITY BASED	TYPE II	4,556.65	16.47
	TYPE III	305,740.62	3,437.97
TOTAL		404,222.42	4,353.51



REMARKS : AS OF 30 JUN 2019

STREAMLINING LICENSING







STREAMLINING LICENSING

- **PRINCIPLES AND KEY FACTORS FOR CHANGES**
- C LICENSING REGULATIONS REFORMING
- A MAJOR ISSUES NEEDED TO BE AMEND
- 12 12
 - PROCESS FOR REFORMING





- Simplifying the number of license categories
- Reducing administrative burdens on license applicants and licensees
- Abide by the Government laws ; Government Agencies Facilitation Process Act .etc.
- Broader scope of services under one license, less complexity







- Existing Notifications involved licensing such as: NBTC/NTC Notifications on
 - Criteria and Procedure for Granting Type One/ Type Two/ Type Three Telecommunication Business License
 - Criteria and Procedure for Granting Internet License
 - Procedures for Granting Automatic License and its amendment (No.2 and No.3)
 - Application Process for Type Three License for IIG and NIX
 - Application Process for Type Two License for IIG and NIX (Automatic License)
 - Application Process for Type Three License for IIG and NIX (No Telecom Business Act amendment)
- Replace with a single notification covers several existing notifications



MAJOR ISSUES CONSIDERED TO BE AMENDED



- Qualifications of Applicants
 - Adjust / repeal clauses that defines specific qualifications in reference to other regulations that already amended /repealed
 - Prescribe or abide by the law obliged for the applicants such as
 - Cyber security law
 - Personal Information Protection law
- Type Three License covers various services types, no additional licenses needed
 - Existing Type III Licensees which own different types of licenses are voluntarily to merge all licenses under one license.
- License Procedures
 - Address the list of documents needs for applying under one notification
 - Simplify the list of documents
 - Automatic license procedures and regular procedures are submerged in the new notification
 - Procedures will be aligned with the Government Agencies Facilitation Process Act such as NBTC processing time, number of documents requested
- The clauses concerning concession ended by its duration will be repealed
- The transitions for existing licensees are optional





Process

- 1. Gather views and review the drafts of licensing notification
- 2. Propose the draft notification to the Telecom subcommittee and the NBTC Board

3. Revise draft in accordance with the NBTC Board's resolution and propose the revision to the NBTC Board

4. Public Hearing

5. Review comments and propose draft after the Hearing to the NBTC Board for approval

6. Announce in the Royal Gazette of the Notification on "Criteria and Procedures for Granting Business License"(the previous notifications repealed by notification)

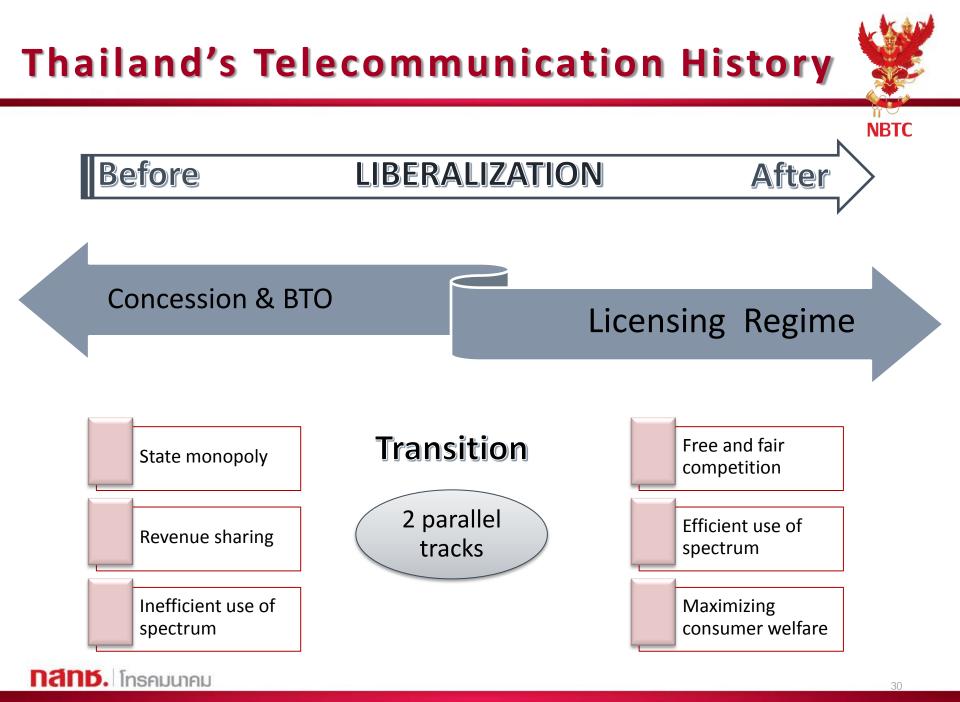


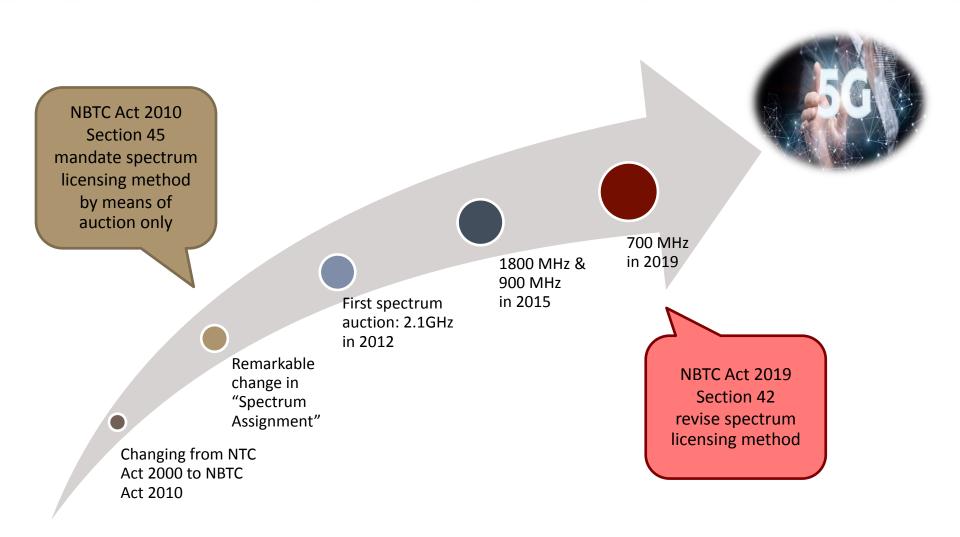






NBTC | Telecom

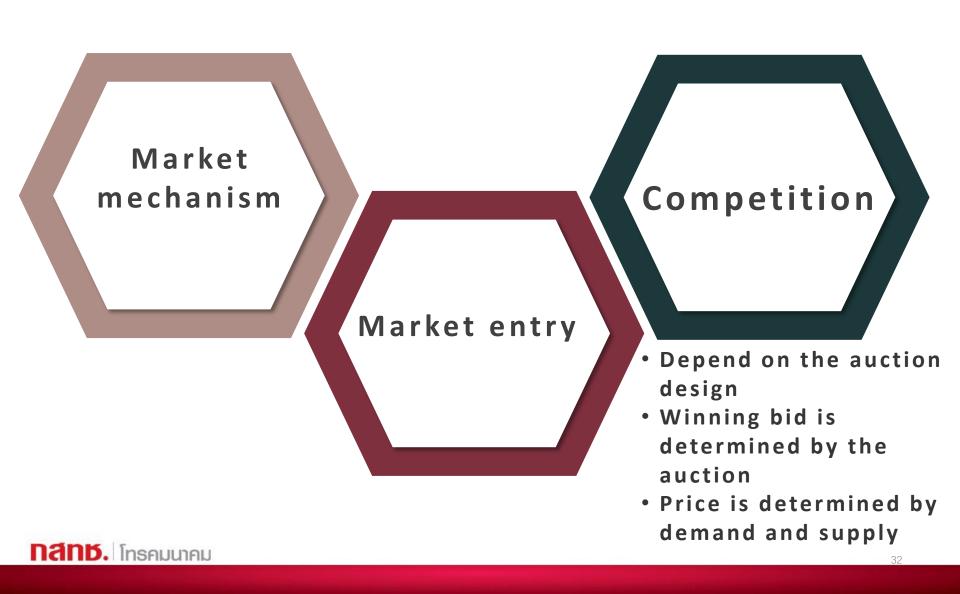






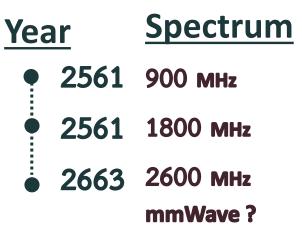








Auction Roadmap

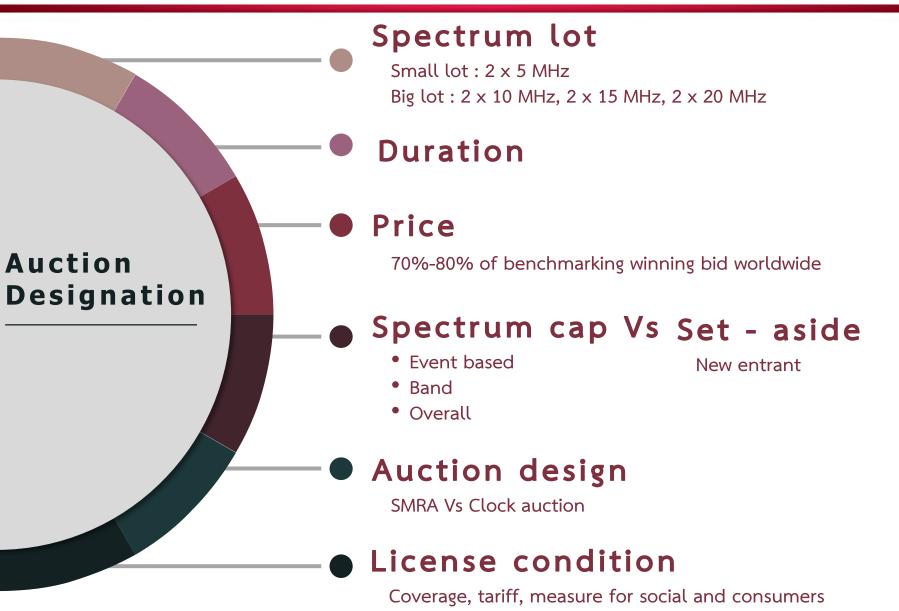






Auction Factor





Current Spectrum Holders in Thailand



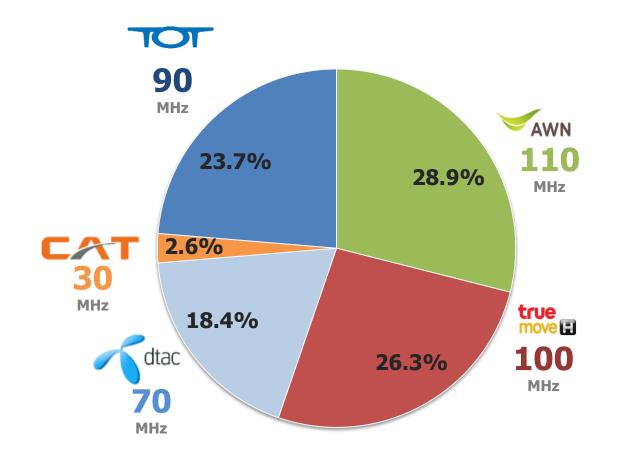
Frequency	2IGHz 3G	180 6 MHz	90 0 MHz	180 6 MHz	90 0 MHz	700 MHz
Auction Design	SMRA	SMRA	SMRA	SMRA	AMRA	_***
Size	2x5 MHz (9 lot)	2x15 MHz (2 lot)	2x10 MHz (2 lot)	2x5 MHz (2 lot)	2x5 MHz (1 lot)	2x5 MHz (1 lot)
Duration (Year)	15	18	15	15	15	15
Reserve Price (Mn. THB)	4,500	15,912*	12,864	12,486	37,988	17,584
Increment (Mn. THB)	225	796*	644**	25	72	Benefit
Date	225	796*	644**	25	72	Benefit
Final Price (Mn. THB)	Aww 14,625 true 13,500 true 13,500	 ✓_{AWN} 40,986 true 39,792 	 Awn 75,654 true 76,298 	AWN 12,511 C dtac 12,511	4 tac 38,064	AWN 17,584 true 17,584 int,584 17,584 int,584 17,584
Remarks : * when price ≥ 19,890 Mn., incremental per round 398 Mn. ** when price ≥ 16,080 Mn., incremental per round 644 Mn.						

National Council for Peace and Order 4/2019 (B.E. 2562)

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Spectrum Holders in Thailand







Office of the National Broadcasting and Telecommunications Commission