

[EXECUTIVE ORDER NO. 307, October 31, 2000]

PROVIDING FOR A NATIONAL POLICY ON THE ALLOCATION AND USE OF RADIO FREQUENCIES

WHEREAS, the radio frequency spectrum is a scarce public resource, and there is a need for a transparent, fair, and economically efficient procedure that shall expedite its allocation to service providers who will use it efficiently and effectively to meet public demand for telecommunications services;

WHEREAS, international 3rd Generation ("3G") standards technology is the family of compatible mobile wireless technologies that the International Telecommunication Union has approved for terrestrial radio interface, and that will be adopted globally for full systems harmonization, resulting in considerable interest and demand for 3G spectrum frequencies;

WHEREAS, not all 2nd Generation ("2G") frequencies allocated by the National Radio Frequency Allocation Table ("NRFAT") for mobile telecommunications systems have been allocated to current 2G mobile networks;

WHEREAS, under Executive Order No. 546 dated July 23, 1979, the National Telecommunications Commission ("NTC") is vested with the functions to "grant permits for the use of radio frequencies for wireless telephone and telegraph systems and radio communication systems", and "sub-allocate series of frequencies of bands allocated by the International Telecommunications Union to the specific services";

WHEREAS, under NTC Memorandum Circular No. 3-3-96 "MC 3-3-96"), the allocation of radio frequencies is subject to (a) the periodic review of the NRFAT, (b) consultation with the industry and/or affected parties, (c) consistency with the International Table of Radio Frequency Allocation, and with national priorities, (d) customer demand and radio frequency planning studies, and (e) allocations reserved for customer access services, broadcast services, maritime, aeronautical and other safety services, military and government radio stations;

WHEREAS, spectrum auctions in other countries show that well-designed auctions offer a more transparent, fair, and economically efficient option for allocating select frequencies;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, hereby direct and order, as follows:

SECTION 1. Institutionalizing, Radio Frequency Auctions. The radio frequency spectrum, including 3G radio frequency spectrum, and other parts of the radio frequency spectrum not yet allocated at the time of this order's effectivity, shall be