

**[NTC Memorandum Circular No. 07-08-2015,
August 13, 2015]**

**RULES ON THE MEASUREMENT OF FIXED
BROADBAND/INTERNET ACCESS SERVICE**

Adopted: 13 August 2015

Date Filed: 14 August 2015

WHEREAS, the 1987 Constitution fully recognizes the vital role of communications in nation building and provides for the emergence of communications structures suitable to the needs and aspirations of the Nation;

WHEREAS, the promotion of competition in the telecommunications market is a key objective of Republic Act No. 7925 (R.A. No. 7925, for brevity), otherwise known as "*The Public Telecommunications Policy Act of the Philippines*", which mandates that "*a healthy competitive environment shall be fostered, one which telecommunications carriers are free to make business decisions and interact with one another in providing telecommunications services, with the end in view of encouraging their financial viability while maintaining affordable rates*";

WHEREAS, R.A. No. 7925 further defines the role of the government to "promote a fair, efficient and responsive market to stimulate growth and development of the telecommunications facilities and services";

WHEREAS, R.A. No. 7925 mandates the National Telecommunications Commission (the Commission, for brevity) to promote and protect the consumers of public telecommunications services;

WHEREAS, customers/subscribers/users have the right to be informed of the quality of the broadband/internet connection service being provided;

NOW, THEREFORE, pursuant to R.A. No. 7925, Executive Order (EO) No. 546 series of 1979, and to maintain and foster fair competition in the telecommunications industry, and promote and protect the rights of broadband service customers/subscribers/users, the Commission hereby promulgates the following definitions and rules:

A. DEFINITIONS

1. "Broadband", as defined by the International Telecommunications Union (ITU), refers to a data connection speed of at least 256 kbps.
2. "Commission" refers to the National Telecommunications Commission.
3. "Fixed Wireless Broadband" refers to a data connection using fixed wireless technologies.

4. "Cable Broadband" refers to a data connection using coaxial cables.
5. "Digital Subscriber Line" (DSL) refers to a data connection using DSL technologies.
6. "Fiber-To-The-Home" (FTTH) refers to a data connection using fiber optic cables.
7. "Packet" refers to the unit of data that is routed between an origin or source and a destination on the internet or any other packet-switched network.
8. "Jitter" refers to the variation of end-to-end delay from one packet to the next within the same packet stream/connection/flow.
Q"Latency" refers to the time it takes for a packet of data to get from a source to a destination.
9. "Packet Loss" refers to the number of packets that does not reach the destination.
10. "End-to-End Delay" refers to the time it takes for a packet to be transmitted across a network from source to destination.

B. RULES ON OFFER INFORMATION

1. The subscribers/consumers/users shall be properly informed of the broadband/internet connection service being offered to them through, among others, flyers, brochures, advertisements, etc. The information shall always be updated.
2. Internet Service Providers (ISPs) shall specify the average downstream and upstream data rates per area. The area can be administrative regions (e.g. NCR, Region I, and so on) or provinces, or cities/municipalities.
3. Service offers made through advertisements, flyers and brochures shall contain the service rates for broadband/internet connection data plans.
4. Service agreements and service level agreements shall contain the service rates for broadband/internet connection data plans.
5. ISPs may set maximum limits on the data volume for each service package/plan/promo per day/week/month, provided that the subscribers/consumers/users is informed automatically when the data volume consumed has reached 80%, 85%, 90% and 95%. When the data volume consumed has reached 100%, the subscriber/user shall be automatically informed that if he/she opts to continue the service, he/she will be charged the normal rates for such service.
6. ISPs with less than 5,000 subscribers/consumers/users may opt to establish a 24/7 Help Desk hotline number, instead of an automatic system. This will allow subscribers/consumers/users to call his/her service provider to find out how much volume of data remains available to him/her. The service provider shall inform the subscribers/consumers/users that if the data volume consumed has reached 100% and if the subscribers/consumers/users opts to continue with the service, he/she shall be charged the normal rates.

C. MEASUREMENTS AND METRICS

1. The Commission shall conduct the monitoring and measurements.