INTRODUCED BY REPRESENTATIVE PAUL RUIZDAQ A and
REPRESENTATIVE JOSE "BONG" J. TEVES

HOUSE RESOLUTION
ENJOINING THE DEPARTMENT OF INFORMATION AND COMMUNICATION TECHNOLOGY (DICT) AND THE NATIONAL TELECOMMUNICATIONS COMMISSION TO IMPLEMENT THE ACT OF MAKING WIFI INTERNET AFFORDABLE UNDER THE GOVERNING STATUTE OF BAYANIHAN ACT 2 LAW MANDATING THE ACCELERATION OF INTERNET INFRASTRUCTURE IN THE COUNTRY AS AN UNDERLYING ICT SUPPORT STRUCTURE FOR THE LAW, THEREBY ENSURING A MORE SUSTAINABLE, INCLUSIVE AND MEANINGFUL ACCELERATED INTERNET INFRASTRUCTURE FOR THE COUNTRY.

WHEREAS, pursuant to Section 5 of Republic Act No. 10844 or otherwise known as the Department of Information and Communications Technology (DICT) Act of 2015, the Department shall be the primary policy, planning, coordinating, implementing, and administrative entity of the Executive Branch of the government that will plan, develop, and promote the national ICT development agenda;
WHEREAS, Section 15 of the same DICT Act of 2015 provides that the National Telecommunications Commission (NTC) shall be an attached agency of the DICT for policy and program coordination;

WHEREAS, the Philippine Congress both the Senate and the House of Representatives have jointly enacted into law “Bayanihan Act 2”, a law providing for Covid-19 Response and Recovery Interventions And Providing Mechanisms To Accelerate The Recovery And Bolster The Resiliency Of The Philippine Economy, Providing Funds Therefore And For Other Purposes”;

WHEREAS, Bayanihan Act 2 law mandates, amongst others, that the DICT and NTC provide the government’s implementing measures that will accelerate the internet infrastructure of the country such as cutting red tape in the application of towers by telcos, tower sharing among telcos and the like;

WHEREAS, to make the acceleration of internet infrastructure meaningful for the country’s citizenry particularly the urban and rural poor, it is imperative to likewise make internet more importantly affordable;

WHEREAS, WiFi internet, different from the Free WiFi of the DICT being deployed in government offices and some schools, is still very expensive in the whole country as all the telcos and internet service providers using or planning to use WiFi to serve users in the underserved areas, are being charged a very exorbitant levy by the NTC on Spectrum User Fee (SUF) under its NTC Memo Circular 10-10-1997;

WHEREAS, NTC’S MEMO CIRCULAR 10-10-1997 is regulation levying Spectrum User Fees (SUF) more applicable for use of licensed frequency, that is, the frequency that provides telco services that are the subject of the tower sharing and cutting of red tape in permits in Bayanihan Act 2, leaving such telcos and internet service providers who plan to use WiFi, no other choice but to either increase prices of WiFi like they would services
at the price levels of licensed frequency or not use WIFI at all, thus making internet more inaccessible to the citizenry inspite of Bayanihan Act 2 that mandates the acceleration of internet infrastructure;

WHEREAS, there is another existing regulation of the NTC under its more recent circular MC 09-09-2003 that has an SUF levy appropriate for the use of WIFI frequency, the use of such more appropriate existing regulation, should have made WIFI more affordable in the country, and at the same time also helped NTC, the regulatory body of the government, collect a bigger totality of Spectrum User Fees even for WIFI;

WHEREAS, such MC 09-09-2003 of NTC being the correct and appropriate regulation for the use of WIFI, if used by NTC, will surely bring the more affordable technology that is WIFI to more Filipinos because the mass of internet service providers and telcos that are not using this cheap technology that is WIFI to serve the poor, would now be enjoined to come out and use WIFI, apart from their licensed frequencies, that could then help the government not only accelerate internet infrastructure but likewise widen internet service areas, thus making it inclusive and more importantly making internet more affordable to the poor;

NOW, THEREFORE, as a matter of national interest and in line with PRESIDENT RODRIGO ROA DUTERTE’S ratification of the Bayanihan Act 2 and policy to have prices of broadband/internet access to be reasonable and affordable to the masses in unserved areas and those consumers and SMEs in underserved areas, but also to provide such low-cost service in critical national and public health emergencies such as the Covid-19 pandemic, and fast-track the recovery of the economy in post-Covid-19 or post-crisis times by helping connectivity needs of consumers and SMEs and support the businesses of such small telcos and ISPs, the DICT and the NTC, being the implementing agencies of government in the ICT sector, are hereby directed to implement the ICT mandate of the law cognizant of the fact that accelerated internet infrastructure also means making it affordable.
AND LASTLY THEREFORE, the DICT and NTC in ensuring that internet affordability, particularly WIFI Internet, is achieved, is hereby directed to either choose to implement the current NTC Memo Circular 09-09-2003 governing SUF for WIFI or make an SUF fee circular even lower than the current WIFI circular 09-09-2003, that these implementing agencies find more appropriate under the Bayanihan Act 2.

Adopted,

[Signature]

HON. PAUL RUIZ DAZA
Representative
1st District, Northern Samar

[Signature]

HON. JOSE “BONG” J. TEVES, JR.
Representative
TGP Partylist