

TELECOMMUNICATIONS

End to satellite concession regime inches closer

KOMSAN TORTERMVASANA

An end to the decades-long concession regime governing the satellite industry is inching closer, as the National Broadcasting and Telecommunications Commission (NBTC) will soon take over regulatory control from the Digital Economy and Society (DE) Ministry.

The NBTC is set to scrap the current operating fee structure by June, as well as regulatory conditions that govern operating and landing licences. It wants to settle a master plan for management rights for using orbital slots.

The move is part of the government's plan to terminate concessions for the satellite business and make it a real licensing regime, while maintaining the state's benefits and promoting liberalisation.

The amended law makes the NBTC the sole agency governing all related satellite businesses in Thailand, including arrangement of orbital slot spaces with the International Telecommunication Union (ITU).

The amendment also allows the NBTC to draft regulatory conditions for cross-industry spectrum allocation, known as "convergence" licences, a spectrum range that will be used for any business sector, and a spectrum

holder can transfer its holding rights to others.

The National Legislative Assembly approved the amended NBTC law on Jan 24, and it is expected to come into effect by March.

NBTC deputy secretary-general AM Thanapant Raicharoen said it will be the first time in the country that the satellite business will be governed by practical regulations, including clarity of operating fee structure and ways of doing business both in space and on the ground.

The new law makes the NBTC the national administrative agency that contacts the ITU to reserve orbital slots.

Satellite service providers need to contact the NBTC to arrange with the ITU for making orbital slots available and submitting its request for a sky operating licence and a landing right licence.

Currently, the DE Ministry is responsible for working with the ITU for orbital slot arrangements, and the NBTC is responsible for awarding operating licences.

It's unclear which agency holds the authority to award landing right permissions to foreign companies for the ground segment business via satellite transponders.

AM Thanapant said the amended

law requires the NBTC to take three actions. It must draft a master plan for management rights of using orbital slots; it must draft regulatory conditions for operating licences of satellite business, including the operating fee structure; and the regulator has to draft regulations governing satellite licences for foreign companies that run ground segment business.

The NBTC is now drafting regulatory conditions for satellite, expected to be done by June. More importantly, the new operating fee structure of satellite licences will resolve any ambiguity in satellite business between Thaicom and the government.