

MCOT mulls lawsuit against NBTC over compensation

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State-owned public broadcaster MCOT is threatening to sue the National Broadcasting and Telecommunications Commission (NBTC) if the telecom regulator's board meeting today fails to reach a resolution on the amount of compensation it would give to the company for the 2600-megahertz spectrum recall.

The range was taken from MCOT for the 5G spectrum licence auction on Feb 16.

MCOT president Kematat Paladesh said the NBTC and its board have spent too much time considering the amount of compensation it would give to his firm and its technology partner, Playwork.

Playwork entered a contract with MCOT to run a pay TV service on the 2600MHz spectrum range in 2010, but the project never got off the ground.

Mr Kematat said MCOT management has explained all the details about the project to the NBTC's subcommittee seeking remedy measures for spectrum recall at various meetings since late last year.

"MCOT may have to proceed with legal action to protect our interests," he said.

Although the 2600MHz spectrum has been auctioned off and mobile operators have been capitalising on the range for commercial service over the past three months, the amount of compensation has yet to be



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President, MCOT

determined, Mr Kematat said.

On May 27, the NBTC board failed to reach a resolution on the amount of the compensation.

Three compensation options — 1.01 billion baht, 3.23 billion baht and 4.27 billion baht — were raised during the board meeting on that day.

The first option of 1.01 billion baht

was calculated based on a three-year period from 2019 when the spectrum was recalled and 2022 when MCOT's spectrum concession expires.

The second choice of 3.23 billion baht is based on a period of six years and five months. It counts from 2012 when the NBTC ironed out a spectrum management master plan to 2015 when the plan was put into effect, plus the three years from the first option.

The third option of 4.27 billion baht takes into account eight years and six months. It counts from 2012 when the master plan was rolled out to 2017 when MCOT was granted permission to run a pay TV service, plus another three years from the first option.

Mr Kematat said he submitted a letter to the NBTC last Friday, detailing that the company has no objection to the compensation options proposed by the NBTC's legal advisory subcommittee.

But the compensation determination must take into account fairness and benefits for MCOT, said Mr Kematat, who will retire in August.

NBTC secretary-general Takorn Tantasith said he was confident that the regulator's board meeting today would reach a resolution on the issue.

After the May 27 meeting, Prawit Leesathapornwongsa, an NBTC board member who abstained from voting on the resolution, said he had doubts about MCOT's legal rights to the spectrum.