



Special Reform Legislation Discussion Series:
Impact of the Open Access Bill on Competition

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Support for “Open Access in Data Transmission Act”

- PCC supports the passage of House and Senate Bills on Open Access
- Telecommunications is a priority sector
 - Ancillary non-traded services (including telecoms) feed into the tradable goods sector
 - If inefficient and high-cost, **manufacturing** will be dragged down
 - Greater attention should be given to **abuse of market dominance**
- Complements R.A. 11202 (**Mobile Number Portability Act**)
 - Consumers may keep their mobile number free of charge if they switch service providers or change their subscription



Collaboration Between PCC and NTC

- Publication of **spectrum management framework** to
 - (i) stimulate social and economic progress; and
 - (ii) ensure efficient and effective use of the spectrum.
 - Clear rules, regulations, and standards will encourage substantial investments to develop networks
- Ideally, establish a broader **national policy on spectrum management**, beyond data transmission service.
 - Pending the enactment of a comprehensive law, the publication of a spectrum management framework applicable to the data transmission sector is in the right direction.



Collaboration Between PCC and NTC

- On setting rules to define and regulate entities with substantial market power (SMP)
 - Synergy given distinct technical expertise
 - Ensure uniformity and consistency in terms of the rules and guidelines for SMP determination.
 - Avoid possible jurisdictional issues in the telecommunications industry, including imposition of penalties



Collaboration Between PCC and NTC

- On ensuring fair competition
 - Adherence to principles and policies enshrined under the Philippine Competition Act
 - Ensuring fair, reasonable, and nondiscriminatory treatment in all their dealings, and that barriers to entry are eliminated to make the industry highly competitive.
 - Foster and develop interagency cooperation mechanisms



National Competition Policy (NCP)

- NEDA and PCC Joint Memorandum Circular on the NCP
 - Highlights competition is a cross-cutting strategy of government to make markets perform better for the benefit of consumers
- Key Elements
 - Adopt pro-competitive policies and government interventions that level the playing field
 - Observe ‘competitive neutrality’
 - Enforce of competition related laws and issuances





Thank you



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