



Republic of the Philippines
COMMISSION ON INFORMATION AND COMMUNICATIONS TECHNOLOGY
NATIONAL TELECOMMUNICATIONS COMMISSION



MEMORANDUM CIRCULAR

No. 05-07-2009

SUBJECT: GUIDELINES ON UNIT OF BILLING OF MOBILE VOICE SERVICE

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), otherwise known as The Public Telecommunications Policy Act of the Philippines, which mandates that "a healthy competitive environment shall be fostered, one in 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, Sec. 4(d) of R.A. No. 7925 provides that rates and tariff charges shall be fair, just and reasonable;

WHEREAS, existing unit of billing for mobile voice service is based on a one (1) minute or sixty (60) seconds per pulse;

NOW, THEREFORE, pursuant to R.A. No. 7925, Executive Order (EO) No. 546 series of 1979, and in order to protect and promote the interest of subscribers/end-users, the National Telecommunications Commission (Commission) hereby promulgates the following guidelines:

1. The maximum unit of billing for the cellular mobile telephone service (CMTS) whether postpaid or prepaid shall be six (6) seconds per pulse.
2. The authorized rates shall be adjusted correspondingly. The rate for the first two (2) pulses, or equivalent if lower period per pulse is used, may be higher than the succeeding pulses to recover the cost of the call set-up. The CMTS providers shall submit to the Commission their respective proposed rates based on the herein prescribed unit of billing within thirty (30) days from the effectivity of this Circular.
3. Subscribers may opt to be billed on a one (1) minute per pulse basis or to subscribe to unlimited service offerings or any service offerings if they actively and knowingly enroll in the scheme.
4. International call service shall not be covered.



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5. Interconnection agreements between cellular mobile telecommunications service (CMTS) providers and between CMTS providers and other interconnecting network and service providers shall be amended to incorporate the herein prescribed unit of billing within thirty (30) days from the effectivity of this Circular.
6. The CMTS providers and their interconnected network and service providers shall perform the necessary adjustments in their respective networks and systems to comply with herein prescribed unit of billing not later than one hundred twenty (120) days from the effectivity of this Circular.
7. Violation of any of the provisions of this Circular shall be a ground for the imposition of penalties in accordance with law.
8. Any circular, order, memoranda or parts thereof inconsistent herewith are deemed repealed or amended accordingly.
9. This Circular shall take effect fifteen (15) days after publication in a newspaper of general circulation and three (3) certified true copies are furnished the UP Law Center.

Quezon City, Philippines 23 July 2009


RUEL V. CANOBAS
Commissioner


JAIME M. FORTES, JR.
Deputy Commissioner


DOUGLAS MICHAEL N. MALLILLIN
Deputy Commissioner