

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

SENATE

P.S. Res. No. 827

Introduced by Senator JUAN PONCE ENRILE

RESOLUTION

DIRECTING THE COMMITTEES ON TRADE AND COMMERCE AND PUBLIC SERVICES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE PERSISTENT COMPLAINTS OF CONSUMERS REGARDING ANOMALOUS CHARGING PRACTICES OF TELECOMMUNICATION COMPANIES RESULTING IN "VANISHING LOADS", DROPPED CALLS, SPAM AND OTHER RELATED CONSUMER COMPLAINTS, WITH THE END IN VIEW OF COMING UP WITH POLICY MEASURES THAT WOULD PROTECT OUR CELLPHONE USERS FROM EXORBITANT RATES AND UNFAIR BUSINESS PRACTICES OF TELCOS, AND FOR THE NATIONAL TELECOMMUNICATIONS COMMISSION TO COMPEL THESE TELCOS TO STRICTLY ADHERE TO THE RULES AND REGULATIONS GOVERNING THE INDUSTRY

WHEREAS, Section 17 of Republic Act 7925 states that "The Commission (NTC) shall establish rates and tariffs which are fair and reasonable and which provide for the economic viability of telecommunications entities and a fair return on their investments considering the prevailing cost of capital in the domestic and international markets";

WHEREAS, on June 2, 2009, this representation delivered a privilege speech as a victim of the "vanishing load" scheme in behalf of the millions of cellphone users in the country who are being robbed off of their hard earned money and shortchanged by these big and powerful telecommunication companies;

WHEREAS, after several Senate hearings on dwindling prepaid credits, dropped calls and spam text messages, among others, National Telecommunications Commission issued a series of new regulations/circulars for telcos in response to these issues. Memorandum Circular No.03-08-2009, which took effect on July 19, 2009, extended the validity of mobile phone credits depending on the amount of load purchased;

WHEREAS, to further pursue such thrust, the National Telecommunications Commission issued Memorandum Circular No. 04-07-2009 which prohibits text spam or broadcast messages and Memorandum Circular No. 05-07-2009 which mandates a 6 seconds per pulse scheme as the default billing system of telcos, in the hope of promoting the welfare of our consumers while balancing the interests of the industry players;

WHEREAS, numerous complaint letters are still being persistently sent to the Senate President's office, in addition to complaints published in major newspapers, raising the same concerns regarding load deduction, unsolicited multimedia messages, dropped calls, received quality, signal level, call set-up time, wrong billings for post paid users of Globe and Smart, among other complaints;

WHEREAS, interconnection charges for off-net voice calls in the country have remained high and has become an additional burden passed on to our consumers;

WHEREAS, it has been reported that mobile phone theft is on the rise along with crimes and scams perpetrated using mobile phones, thus, there is an immediate need to mandate a system of phone and SIM registration;

WHEREAS, four years after the circulars were issued and implemented and with the entry of new players in the industry, cellphone users are still howling for government intervention against the inefficient and high cost of telecommunication services in the country, thus, the need to revisit Republic Act 7925 otherwise known as the "Public Telecommunications Policy Act" and to review the present charter of the NTC such that the Commission can independently regulate and equalize the playing field for all industry players while affording better protection for the consuming public;

THEREFORE, BE IT RESOLVED, as it is hereby resolved by the Philippine Senate, that the Committees on Trade and Commerce and Public Services are directed to conduct an inquiry, in aid of legislation, into the persistent complaints of consumers regarding anomalous charging practices of telecommunication companies resulting in "vanishing loads", dropped calls, spam and other related consumer complaints, with the end in view of coming up with policy measures that would protect our cellphone users from exorbitant rates and unfair business practices in the telecommunications sector.

ADOPTED ,



JUAN PONCE ENRILE
Senator