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INTRODUCED BY THE HONORABLE MAR ROXAS

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A RESOLUTION

DIRECTING THE COMMITTEE ON PUBLIC SERVICES AND THE COMMITTEE ON TRADE AND COMMERCE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON CONSUMER CONCERNS ABOUT THE QUALITY OF BROADBAND WIRELESS SERVICE

*WHEREAS*, the Constitution, Article 2, Section 24 provides that the State recognizes the vital role of communication and information in nation building;

*WHEREAS*, broadband wireless service is emerging as a new and growing area of telecommunications. Wireless networking is seen as the solution to providing internet access to areas which do not have existing copper or fiber telecommunications infrastructure. Thus, by providing another avenue for communication, broadband wireless service has the potential to stimulate economic growth and improve social services;

*WHEREAS*, R.A. No. 7925, also known as the Public Telecommunications Policy Act of the Philippines, Section 5, paragraph (e), states that the National Telecommunications Commission (NTC) shall promote consumer welfare by facilitating access to telecommunications services whose infrastructure and network must be geared towards the needs of individual and business users. Paragraph (f) of the same section further states that the NTC shall protect consumers against misuse of a telecommunications entity's monopoly or quasi-monopolistic powers by, among others, the investigation of complaints and exacting compliance with service standards from such entity;

*WHEREAS*, R.A. No. 7394, also known as the Consumer Act of the Philippines, Section 102 states, in part, that the service supplier is liable for any quality imperfections that render the services improper for consumption or decrease their value, and for those resulting from inconsistency with the information contained in the offer or advertisement, the consumer being entitled to demand alternatively at his option (a) the performance of the services, without any additional cost and when applicable; (b) the immediate reimbursement of the amount paid, with monetary updating without prejudice to losses and damages, if any; (c) a proportionate price reduction;

*WHEREAS*, newspaper reports, blog posts and discussions on the internet show that a number of dissatisfied subscribers to wireless broadband services have failed to receive an acceptable response from their wireless broadband service provider, the NTC, and the Department of Trade and Industry (DTI). Dissatisfaction came from numerous disconnections, the lock-in clause in the subscribers' contracts with their service provider, and the incompetence of the service provider's technical support and customer care personnel;

*WHEREAS*, although the NTC has jurisdiction over the supervision, adjudication and control over all telecommunications services throughout the country, and the DTI has the duty to enforce service liability violations, government does not appear to have existing infrastructure to squarely address consumer concerns on telecommunications value-added services such as broadband wireless service;

*WHEREAS*, government should provide a satisfactory venue for consumer concerns even in a deregulated industry like telecommunications. Furthermore, consumers should get value for their money and gain their every peso's worth by paying only for the services they have received;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Senate direct the Committee on Public Services and the Committee of Trade and Commerce to conduct an inquiry, in aid of legislation, on formulating and strengthening government regulations with respect to consumer concerns about the quality of broadband wireless service.

Adopted,



M A R Roxas  
Senator