

Unofficial Translation



**Notification of the National Broadcasting and Telecommunications Commission**

**Re: Criteria and Procedure for Granting Telecommunications Business License**

---

Whereas it is expedient to revise the criteria and procedure for granting Telecommunications Business License in accordance with the current business circumstances and having the purpose to facilitate the procedure, reduce the burden for telecommunications operators, and expedite the process, in which to promote free and fair competition for telecommunications business operators.

By section 27 (6) (24) and Section 81 of the Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010), in conjunction with Section 8 of Telecommunications Business Act, B.E. 2544 (2001) amended by the Telecommunications Business Act (No. 2) B.E. 2549 (2006), Section 7 and Section 9 of Telecommunications Business Act B.E. 2544 (2001), the National Broadcasting and Telecommunications Commission hereby issue the Notification as follows:

Clause 1 This Notification shall come into force from the date following the date of its publication in the Royal Gazette.

Clause 2 The following shall be repealed

2.1 Notification of the National Telecommunications Commission Re: Criteria and Procedure for Granting Type One Telecommunications Business License, dated on 2nd August B.E. 2548 (2005)

2.2 Notification of the National Telecommunications Commission Re: Criteria and Procedure for Granting Type Two Telecommunications Business License, dated on 2nd August B.E. 2548 (2005)

2.3 Notification of the National Telecommunications Commission Re: Criteria and Procedure for Granting Type Three Telecommunications Business License, dated on 2nd August B.E. 2548 (2005)

## Unofficial Translation

2.4 Notification of the National Telecommunications Commission Re: Criteria and Procedure for Granting Internet License, dated on 20th June B.E. 2548 (2005)

2.5 Notification of the National Telecommunications Commission Re: Procedures for Granting Automatic License, dated on 24th July B.E. 2551 (2008)

2.6 Notification of the National Telecommunications Commission Re: Procedures for Granting Automatic License (No. 2), dated on 25th March B.E. 2552 (2009)

2.7 Notification of the National Telecommunications Commission Re: Procedures for Granting Automatic License (No. 3), dated on 21st September B.E. 2553 (2010)

2.8 Notification of the National Telecommunications Commission Re: International Internet Gateway and Internet Exchange Services License Application, dated on 29th December B.E. 2548 (2005)

2.9 Notification of the National Telecommunications Commission Re: Application Process for Type Two License for International Internet Gateway and Internet Exchange Service (Automatic License), dated on 19th October B.E. 2549 (2006)

2.10 Notification of the National Telecommunications Commission Re: Application Process for Type Three License for International Internet Gateway and Internet Exchange Service, dated on 19th October B.E. 2549 (2006)

2.11 Notification of the National Telecommunications Commission Re: Duration of Operation for Type One Telecommunications Business License and Type One Internet Service License, dated on 25th March B.E. 2552 (2009)

2.12 Notification of the National Telecommunications Commission Re: Duration of Operation for Type One Telecommunications Business License and Type One Internet Service License (No.2), dated on 6th August B.E. 2552 (2009)

2.13 Notification of the National Telecommunications Commission Re: Voice over Internet Protocol (VoIP) Service, dated on 29th December B.E. 2548 (2005)

2.14 Notification of the National Telecommunications Commission Re: Provision of Voice over Internet Protocol (VoIP) Service Using Telephone Numbers, dated on 8th March B.E. 2550 (2007)

Clause 3 Any other Notifications, regulations, rules and orders on the parts duly prescribed in, or contradictory to, or inconsistent with, this Notification shall be superseded by this Notification.

## Unofficial Translation

Clause 4 In This Notification,

“Licensee” means the person granted the license to operate telecommunications business by the National Telecommunications Commission, under the Telecommunications Business Act;

“Facilities Based Business License” means Type Two Telecommunications Business License which has his or her own network and Type Three Telecommunications Business License.

“Non-Facilities Based Business License” means Type one Telecommunications Business License and Type Two Telecommunications Business License which does not have his or her own network.

### Chapter 1

#### General rule

---

Clause 5 Nature and Categories of Telecommunications Business that required any licenses shall be in compliance with Notification of nature and categories of telecommunications business requiring Telecommunications Business Licenses.

In the case of Type Three licensee who intends to provide any services under the scope of Type One or Type Two Telecommunications Business License may submit a form to add such services under Type three Telecommunications Business License and is not required to apply for additional licenses. In the case that the licensee who already hold Type One or Type Two License intends to apply for Type Three Telecommunications Business License. The licensees may request to combine Type One or Type Two Telecommunications Business License under Type Three Telecommunications Business License.

In the case of radio or television broadcasting business licensee for radio or television broadcasting facilities which does not use radio frequency intends to operate telecommunications services and utilize only their own radio or television broadcasting network to provide telecommunications services without assembling a new telecommunications network. The radio or television broadcast licensee may apply for the non-facilities based business license. The National Broadcasting and Telecommunications Commission (hereafter referred to as “NBTC”) may impose further additional conditions which deems appropriate.

## Unofficial Translation

### Chapter 2

#### Applicant qualification

---

Clause 6 The Applicant shall have the qualifications as stipulated in Section 8 of the Telecommunications Business Act B.E.2544 (2001), as amended by the Telecommunications Business Act B.E. 2549 (2006), and shall have the qualifications and shall not possess the prohibited characteristics as follows:

6.1 The applicant shall be a juristic person registered under the Thai law and have the purpose to operate telecommunications business.

6.2 The applicant shall not be under a receivership or a rehabilitation ordered by the court under bankruptcy law, which creditors or a third party appointed by creditors, then had to be managed instead of the prior directors or entering bankruptcy process or being sentenced in the court.

6.3 The applicant shall not have been sentenced and ordered to confiscate or freeze assets, for the execution of a judgment by provisions of the Civil Procedure Law on the execution of judgments by a court verdict or court order.

6.4 The directors, managers or individuals responsible for the operation of the applicant's corporate shall not process a character that lacks suitability which entrusted by the shareholders' of public company under Security and Exchange Law.

6.5 The directors, managers or individuals responsible for the operation of the applicant's corporate shall not have been in charge of similar duties for any corporate whose Telecommunications Business License had been revoked or under his order or action by the NBTC or by operating telecommunications business arising from the command or action of the person who has the duty or ignoring order or does not act until the cause of the juristic person has been revoked during the two-year period prior to the application submission date.

6.6 The applicants, directors, managers or individuals with competent authority for the management of applicants' business shall never have been convicted by a final court judgment, for violation of the Competition Law, Cybersecurity Law, Personal Data Protection Law or Intellectual Property Law, and shall not have committed basic offences under the Money Laundering Control law or any offences related to the officials under the Criminal Code and offences relating to the law on government project bidding or any other offences under the organic law on corruption prevention and suppression during the two-year period prior to the application submission date.

## Unofficial Translation

6.7 The applicants, directors, managers or individuals responsible for the operation of the juristic person shall not be under his or her property confiscated or froze by a court order or related to defrauding the public.

6.8 The applicants, directors, managers or individuals responsible for the operation of the juristic person shall never have been terminated any Telecommunications Business License (s) by the NBTC, during the one-year period prior to the application submission date, due to not beginning the operation for the provision of the telecommunications services within the specified period in the license or not making the payment for fee(s) under the related to the NBTC regulations and Notifications.

6.9 Other qualifications defined by the NBTC.

## Chapter 3

### Application Procedure and Consideration of license application

---

Clause 7 Application procedure, applicants shall follow the following procedure:

7.1 Submit the completed application form and the accompanying document and information as defined in Annex A to this Notification, and the electronic documents to the Office of the NBTC or by post with receipt requested. In this regard, the office of the NBTC shall examine the information about a juristic person including to juristic person's certificate, Memorandum of association and List of shareholders.

7.2 Pay administrative fees at the rates as specified by the NBTC in the Notification regarding Telecommunications Business License fees.

In this regard, the Office of the NBTC shall accept the application once verified that the applicant has completed Clause 7.1 and Clause 7.2 accordingly.

Clause 8 The Office of the NBTC will consider to the applications as follows:

8.1 The document examining procedures for the automatic license application are as follows:

8.1.1 The Office of the NBTC shall consider examining the document for the automatic license application as prescribed in Annex B.

8.1.2 The Office of the NBTC shall examine the correctness, completion and sufficiency of completed application forms and relevant documents submitted.

## Unofficial Translation

If any required documents for application consideration are found to be incorrect, incomplete or insufficient, Office of the NBTC shall notify the applicant to submit the additional required documents within seven days from the submission date. The applicant need to submit the additional necessary documents within fifteen days from the date of being notified.

8.1.3 After all required documents are proven to be correct, complete, and sufficient, the Office of the NBTC shall notify the Chairman of the NBTC, who shall sign the license within seven days after the receiving date of all correct, complete and sufficient required documents. Office of the NBTC shall deliver the license with terms and conditions to the licensee.

8.1.4 The license shall be effective from the date that the Chairman of NBTC signs the license.

8.1.5 The Office of the NBTC shall report the result of issuing Telecommunications Business License to the NBTC periodically.

8.2 The document examining procedures for general license applications are as follows:

8.2.1 The Office of the NBTC shall consider the applications for Type One, Type Two, and Type Three Telecommunications Business License which provides services other than services as prescribed in Annex B.

8.2.2 The Office of the NBTC shall examine the correctness, completion and sufficiency of completed application forms and relevant documents submitted.

If any required documents for application consideration are found to be incorrect, incomplete or insufficient, the office of the NBTC shall notify the applicant to submit the additional required documents within fifteen days from the submission date. The applicant need to submit the additional necessary documents within fifteen days from the date of being notified.

8.2.3 After all required documents are proven to be correct, complete and sufficient, the Office of the NBTC shall proceed as follows:

(1) In the case of Type one Telecommunications Business License.

(1.1) The Office of the NBTC shall submit the applications and analysis of the nature and criteria of telecommunications services to the NBTC

## Unofficial Translation

to consider the application within thirty days after all required documents are proven to be correct, complete and sufficient.

(1.2) The NBTC shall complete the document consideration process of the applications and analysis of the nature and criteria of telecommunications services within thirty days from the date of receiving the aforesaid documents, then the Office of the NBTC shall notify the result of the consideration to applicants a written statement.

(1.3) In the case of the NBTC deems appropriate to have applicants amend their application, the applicants shall submit a request for reconsideration to the NBTC within thirty days of being notified by the Office of the NBTC or within the period specified by the NBTC for

(1.4) The license shall be effective from the date the NBTC is informed.

(2) In the case of Type Two and Type Three Telecommunications Business License.

(2.1) The Office of the NBTC shall submit the applications and a feasibility analysis of service operation, to the NBTC for consideration within sixty days after all required documents are proven to be correct, complete and sufficient. The NBTC shall take at least the following factors into consideration:

(2.1.1) Benefits to the consumers, subscribers, industry, economy, society, education, culture, national security and other public interests.

(2.1.2) Suitability and consistency between the applicants' investment and service plans.

(2.1.3) Potential capabilities to mobilize funds to support the applicant's investment plan.

(2.1.4) The technical plans shall be reasonable and comply with the service plans.

(2.1.5) Potentials for network establishment and accomplishment of any other operations in the proposed plans.

(2.2) The NBTC shall complete the document review process of the applications and service type and category analysis within thirty days from the date of receiving the aforesaid documents, and the Office of the NBTC shall notify the result of the consideration to applicants in a written statement.

## Unofficial Translation

(2.3) In the case of the NBTC deems appropriate to have applicants modify their applications, the applicants shall submit a request for reconsideration to the NBTC within thirty days of being notified by the Office of the NBTC or within the period specified by the NBTC.

(2.4) The license shall be effective from the date the NBTC approves the applications.

In this regard, if the document review process are not to be completed by the specified period, the Office of the NBTC may inform the applicants the extension of consideration period. The extension shall not exceed two times and not exceeding thirty days for each extension.

## Chapter 4

### Validation Period, Scope, and Conditions of License

---

Clause 9 The validation period of license

9.1 Type One and Type Two Telecommunications Business License may continue to operate throughout its service period.

9.2 The license minimum validation period shall not be less than fifteen years and maximum validation period shall not be more than twenty-five years. In this regard, the NBTC may revise the license minimum and maximum validation periods for type three Telecommunications Business License.

Clause 10 In regard to licensees intend to operate in the telecommunications business in additional nature or categories after having been granted a Telecommunications Business License, the licensees shall notify to the NBTC of such intention prior to the operation commencement. In considering such request the provisions in Clause 8 shall apply, *mutatis mutandis*. In this regard, the permission shall be effective from the date of the Chairman of the NBTC is informed or the NBTC is informed and approve, as the case may be.

Clause 11 The licensees who intend to renew the Type Three license shall proceed according to the following criteria, procedures, and conditions:

11.1 The licensees shall meet the qualifications prescribed in Clause 6 and shall never been found by the NBTC to have committed significant or serious violation in regards of market competition, regulations, or public interests or their



## Unofficial Translation

telecommunications frequencies licenses for the operation of telecommunications business shall never have been revoked.

11.2 The licensees shall submit license renewal application as required by the NBTC at least 30 days, but no more than 180 days before the license expiry date. The required supporting documents of renewal licensed service including the following documents: self-testimony of licensee qualification, essential technical and technological information, business plans, financial plans, and investment and capital mobilization plans shall be submitted along with the application. The Licensee shall pay license fees as specified by the NBTC.

In the case of necessity, the licensees may apply for an advance renewal of the license application in paragraph one but not prior to three years before the license expiry date. The licensees shall clarify and submit evidence of the aforementioned necessity.. In this regard, the renewal license period, from the date approval, shall not exceed the prior license period.

11.3 The NBTC shall consider the license renewal application and the Office of the NBTC shall notify the licensees of their decision within thirty days of receiving application. In considering such request the provisions in Clause 8 shall apply, *mutatis mutandis*. In this regard, a renewed license may have different license validation period from the previous one as specified by the NBTC.

11.4 While license renewal consideration is underway, applicants shall retain their licensee status until they are informed of the consideration results by the Office of the NBTC.

### Clause 12 The Conditions on Licensing of Telecommunications Business

12.1 The licensees shall possess the qualifications stipulated in clause 6 throughout the period of telecommunications service. And also the licensee shall strictly comply with the laws, regulations, rules, Notifications, orders, measures or conditions prescribed by the NBTC.

In the case of the licensees are under temporary receivership or under a rehabilitation ordered by the court under bankruptcy law. The licensee shall be deemed to have qualifications as licensees and can continue to provide services until the bankruptcy court issues an absolute receivership or bankruptcy order. In this regard, such licensees are prohibited to charge service fees from their users in advance

## Unofficial Translation

12.2 Telecommunications Business License is an exclusive right. The licensee could not transfer the license or grant it to third party.

12.3 If telecommunications frequencies are required for the operation of telecommunications business operation being applied for, the applicants shall have to obtain permission for the use of telecommunications frequencies according to the criteria and procedure prescribed by the NBTC.

12.4 If telecommunications numbers are required for the telecommunications business operation being applied for, the applicants shall have to obtain permission for the use of telecommunications numbers according to the criteria and procedure prescribed by the NBTC.

12.5 The licensees must commence the operation to the extent permitted according to the following period:

12.5.1 In case of the facilities-based license, the licensees must commence the operation within two years from the date of permission and shall report the result of operation every six months until the service starts.

12.5.2 In case of the non-facilities based license, the licensees must commence the operation within one year from the date of permission and shall report the result of operation every three months until the service starts.

In the case of licensee shall extend the service start period. Licensee shall clarify and specify the extension period to the NBTC before the expiration of the service start period.

In this regards, The NBTC possibly changes the period of the specified time in the first paragraph for the advantage of regulation.

12.6 Facilities base licensee shall commence to build his/her own network within two years from the date of permission, report the network building status every year and inform annual report on the operational of the licensee. In this regards, the licensee shall not commence to build his/her own network within the specified period, the NBTC may consider to altering the license type to a non-facilities based license.

12.7 Licensees are able to operate telecommunications business throughout its service period and if the licensees intend to suspend or cease to provide the service, the licensees shall operate in accordance with the criteria and procedures in the Notification on suspension or cease to provide the service

12.8 In regard to type one or type two licensee intends to discontinue the business. The licensee shall notify the NBTC not less than one month before the date of

## Unofficial Translation

the intention to discontinue the business. In the case of type three licensee intends to discontinue the business before the expiration date of the license. Licensee shall notify the NBTC for consideration not less than three months before the date of the intention to discontinue the business. In this regard, the NBTC may prescribe conditions to be observed by the licensee prior to the discontinuity of business.

12.9 Licensees shall pay the Telecommunications Business Licensing fee in accordance with the criteria and procedures prescribed in the Notification of Telecommunications Business License fees.

12.10 In the case where the license to use any frequency spectrum of the licensee is revoked, it shall be deemed that the Telecommunications Business License with respect to the business part that uses such frequency spectrum is also revoked.

In the case that licensee shall not renew the spectrum license or has not been considered for the renewal of the spectrum license. It shall be deemed that the license in the part of using that spectrum will be terminated.

12.11 Type Three licensees shall have engineers with qualifications and in the number in accordance with the Notification on engineering professional requirements for type three licensees.

12.12 Licensees shall prepare appropriate financial and financing structure, and shall keep their financial risk management within acceptable limits so that no damages shall be caused to their operations. Should licensees have any knowledge of factors or circumstances that may result in or lead to such financial risk, they shall immediately notify the NBTC. In this regards, the NBTC may prescribe the specific measures for the licensees to comply with.

12.13 Licensees shall report the annual reports including to nature and categories of services are provided, operation date, telecommunications resources used in the service, financial status and performance, investment details, employment rate, number of service users , problems and obstacles in operation, as well as service plans and other information as specified by the office of the NBTC on the date of payment of the annual Telecommunications Licensing/Business License fees or according to the time specified by the office of the NBTC.

12.14 In the case where the licensee who sells or leases telecommunications services or telecommunications network has reasonable suspicions to the licensees breach the terms and conditions of the contract or unable to provide services such as default of two successive payments. The licensee who sells or leases telecommunications

## Unofficial Translation

services or telecommunications networks shall immediately report such incident to the Office of the NBTC.

The Office of the NBTC shall summon those who are likely to breach the terms and conditions of the contract or unable to provide services to clarify the problem, how to solve the problem, including various documents and evidence to be used in determining the severity of the problem and set a solution to such problems.

12.15 The licensee shall provide accessibility relating to the monitoring of the telecommunications business operation. In order to ensure the efficiency of the regulating, the licensee shall report the information on the operation of telecommunications business, the use of telecommunications resources, and other information necessary for the monitoring of telecommunications business as requested by the NBTC, and shall comply with the criteria pertaining to the verification and reporting of the telecommunications business operation as prescribed by the NBTC.

12.16 The licensee shall heedfully prevent any person as possible in term of technology from using his/her own telecommunications network or internet network for illegitimate activities or disseminating any information that may undermine peace or morality of the people, and shall support the state and private agencies in any act intending to protect rights of consumers for the safety of society and the State security;

12.17 The licensee is prohibited from using the licensed telecommunications services for any other benefit other than the provision of telecommunications services as permitted directly to the subscriber or incentive users to use their services by providing benefits to users in the form of network marketing (Single level Marketing / Multi-level Marketing) or any other nature.

Clause 13 The NBTC shall consider to terminate the Telecommunications Business License as follows:

13.1 The licensee is disqualified from the provision in Clause 6.

13.2 Type Three Telecommunications Business License shall be expired in which the licensee does not renew the license in accordance with the criteria and procedure prescribed by the NBTC.

13.3 Licensee registers of dissolution of juristic person.

13.4 Licensee intends to discontinue of business.

13.5 Licensee does not commence the authorized service within the specified period and does not clarify a reasonable reason for such incident.

## Unofficial Translation

13.6 Lack of fee payment which including Telecommunications Business License fee, fee for telecommunications numbers, and fee for the Broadcasting and Telecommunications Research and Development Fund for Public Interest for a period of one year from the due date.

13.7 Any other cases deems to be appropriate by the NBTC.

In this regard, the Licensee shall have the duty to provide remedial measures for effects on the user after termination of the licensing and the NBTC may prescribe conditions to be observed by the licensee prior to the discontinuity of business. The licensee shall be liable for any damages resulting from the termination, the licensees shall not be able to demand any compensations, or damages.

Clause 14 The Office of the NBTC may set up electronic network to serve as a channel for coordinating and supporting the implementation of this Notification.

In the case of the Office of the NBTC will set electronic channel according to paragraph 1, the applicants or licensees will operate in accordance with this Notification.

## Transitory Provisions

---

Clause 15 In regard to the licensee is in the process of applying for Telecommunications Business License prior to the enforcement of this Notification, such application and the consideration of granting the license can be considered accordance with the prior Notification until the completion.

Clause 16 The licensees who have been granted the license prior to the enforcement of this Notification shall have the right to operate in accordance with the initial license. Scope and conditions which incorporate with this Notification until acquiring new license, terms and conditions are revised in accordance with this Notification.

Clause 17 In regard to the licensee with Type One and Type Two Telecommunications Business License who have been granted the license prior to the enforcement of this Notification, the Office of the NBTC shall correct the license period according to this Notification.

Clause 18 In the case of the licensee with Type One Internet Service License, Type Two Internet Service License or Type Two License for International Internet Gateway and Internet Exchange Service who has been granted license prior to the enforcement of this

## Unofficial Translation

Notification, the Office of the NBTC shall correct such license to Type One Telecommunications Business License or Type Two Telecommunications Business License in which the date of permission shall be identical to the original authorized date. In the case of the licensee also hold Type One Telecommunications Business License or Type Two Telecommunications Business License, the Office of the NBTC shall add the authorized internet service to the existing Telecommunications Business License and update the license period according to this Notification.

Clause 19 In regard to Type Three Internet Providing licensees who have granted the license prior to the enforcement of this Notification, the office of the NBTC shall corrects the license to Type Three Telecommunications Business license and period according to this Notification.

Clause 20 In the case where the licensee in Clause 17 or Clause 18 hold Type Three Telecommunications Business License, if the licensee intends to add authorized services under Type One License and Type Two License in existing Type Three Telecommunications Business license, the licensee shall notify the Office of the NBTC to compile services under Type One License or Type Two License in Type Three Telecommunications Business License with the period in which Type Three Telecommunications Business License is granted.

Clause 21 The licensee who has been granted licensed prior to the enforcement of this Notification shall submit House Code Number document where headquarter is located and a copy of the householder's identification card together with a letter of consent to the property from the householder or a copy of the lease in the case of renting the location of headquarter. Moreover, the licensee shall submit authorized operating results annual report for the past year on the date of next license fee payment

Announced on the 5<sup>th</sup> day of March B.E. 2563 (2020)

( Gen Sukit Kamasunthorn)

Commission of National Broadcasting and  
Telecommunications Commission  
Acting Chairman of the National Broadcasting  
and Telecommunications Commission

## Unofficial Translation

### Annex A

#### List of Documents and Information to be submitted for License Application

##### **1. Documents Supporting License Application**

1.1 application forms

1.2 Important documents of the juristic person

1.2.1 Document demonstrating or indicating the shareholding information of the Applicant that the Applicant is not a foreigner under the Foreign Business Act, issued by the Ministry of Commerce for not longer than three months from the issued date. (In the case of an applicant for Type Two Telecommunications Business License and Type Three Telecommunications Business License which did not have shareholders as natural persons at all.)

1.2.2 The prohibitions are in accordance with the NBTC's Notification regarding the Prescription of Prohibitions on Constituting Foreign Dominance with affirmation signed by an authorized person acting for the corporate. The Applicant shall not conduct any activity that is contrary to any of the prescribed prohibitions. The submitted document shall be valid no longer than three months from the issued date unless the applicant is exempt from the Notification. (In the case of the applicant for a Type Two Telecommunications Business License with his or her own network and Type Three Telecommunications Business License)

1.2.3 The document show the House Code Number where the headquarter is located and a copy of the householder's identification card with a letter of consent to use the property from the householder or a copy of the lease in the case of renting the location of headquarter.

1.2.4 The authorized signatories' identification cards shall be shown in the case that the authorized person is presented. In the case an authorized signatory is a foreigner, a copy of his or her passport shall be submitted instead.

1.2.5 In the case of authorization the following documents shall be submitted:

- 1) Power of attorney (with stamp duty attached).
- 2) Copy of the appointer's identification cards. In the case that appointer's is a foreigner, the copy of his or her passport shall be submitted instead.
- 3) Show the national identity card of the attorney.

##### **2. General information of juristic person and telecommunications business**

###### **2.1 Non-Facilities Based Business License**

2.1.1 General information of juristic person

1) Corporate profile and affiliated companies and companies in the group of applicants which operating in telecommunications business.

2.1.2 Service Provision

- 1). Nature and categories of services grant license.
- 2) Service area

## Unofficial Translation

- 3) Target customers
- 2.1.3 Technical and technological information
  - 1) Technical details of the service
  - 2) Network Diagram
  - 3) Network configuration, including details on location, route, access and interconnection of telecommunications networks
    - 3.1) Domestic Connection
    - 3.2) International Connection
  - 4) Telecommunications Network Lease Agreement (if any)
  - 5) Details of Equipment Used for Service
  - 6) Location of Service Equipment
- 2.1.4 Information on business plans, financial plans and investment plans
  - 1) Marketing strategies
    - 1.1) Products and services strategies (Product)
    - 1.2) Setting price of products and services strategies (Price)
    - 1.3) Distribution strategies (Place)
    - 1.4) Sale promotion strategies (Promotion)
  - 2) Financial and investment plans and funding mobilization (capital mobilization)
  - 3) Construction plan, Installation layout plans, and the period of time which can provide services after having been granted a Telecommunications Business License.
  - 4) More information for Type Two Telecommunications Business License which does not have his or her own network
    - 4.1) Estimation of Net Present Value, Internal Rate of Return and Payback Period
    - 4.2) Market Analysis
      - 4.2.1) Current Marketing and competition
      - 4.2.2) Benefits to the consumers, subscribers, industry, economy, society, education, culture, national security and other public interests.
- 2.1.5 Service Quality plan
  - 1) System Security Plan
  - 2) Customer Protection Plan

## 2.2 Facilities Based Telecommunications License

- 2.2.1 General Information of Juristic person
  - 1) Corporate profile and affiliated companies and companies in the group of applicants which operating in telecommunications business.
  - 2) Overview of the business of the licensee and juristic person including affiliated companies, companies in the group of applicants which operating in telecommunications business, which is currently in operation or is going to be operated (in the



## Unofficial Translation

case of the company has not yet operated the business). In the case of there are many affiliated companies, and companies in the group of applicants which operating in telecommunications business ,the licensee shall demonstrate the shareholding and ownership structure of the licensee's group of companies, by explaining in writing, table, diagram, or chart.

3) Organization structure within the Licensee's company; showing the number of the director together with the responsibilities and name of directors, and showing the overall organization chart of the company. (Organization Chart)

### 2.2.2 Service Provision

- 1) Nature and categories of services grant license
- 2) Service Area
- 3) Target Customers

### 2.2.3 Technical and technological information

- 1) Technical details of the service
- 2) Network Configuration
- 3) Network configuration, including details on location, route, access

and interconnection of telecommunications networks

- 3.1) Domestic Connection
- 3.2) International Connection
- 4) Location and Point of Interconnection (POI)
- 5) Details of Equipment Used for service
- 6) Location of Service Equipment
- 7) The ownership of Telecommunications facilities

### 2.2.4 Information on business plans, financial plans and investment plans

- 1) Corporate financial and investment potential information
  - 1.1) Potential to mobilize funds and 5-years investment plans (10 years investment plans for Type Three Telecommunications Business License)
  - 1.2) Estimate income from operating and return rate of 5 years (10 years for Type Three Telecommunications Business License)
  - 1.3) Construction and system installation plans and the period of time which can be provided services after having been granted a Telecommunications Business License
  - 1.4) Estimation of Net Present Value, Internal Rate of Return and Payback Period
  - 1.5) Relationship with affiliated companies and companies in the group of applicants in financial business
- 2) Market Analysis
  - 2.1) Current Marketing and competition
  - 2.2) Benefits to the consumers, subscribers, industry, economy, society, education, culture, national security and other public interests.

## Unofficial Translation

- 3) Market Analysis
  - 3.1) Products and services strategies (Product)
  - 3.2) Setting price of products and services strategies (Price)
  - 3.3) Distribution strategies (Place)
  - 3.4) Sale promotion strategies (Promotion)
- 4) Service plan 5 years (10 years for Type Three Telecommunications)

### Business License

- 4.1) Business Plan and scope of service
  - 4.2) Service development guideline
  - 4.3) Risk factors that may affect the operation
- 2.2.5 Quality plan of the service
- 1) Network Security Plan
  - 2) Network Reliability Plan
  - 3) Emergency and Disaster Plan
  - 4) Consumer Protection plan

Annex B

**Type of Service Applying the Procedures for granting Automatic License  
(Automatic License)**

Type of Service Applying the Procedures for Granting Automatic License as follows;

1. Telecommunications Service that licensees intend to operate the business without his or her own telecommunications network whether any part of service.
2. Telecommunications Service that licensees intend to operate the business with his or her own telecommunications network whether any part of additional new telecommunications network built specifically for the provision of such services.

In this regards, the types of telecommunications services are as follows:

1. Internet Service
  - 1.1 Internet Service on wireline network
    - 1.1.1 Internet Narrowband Service (Dial-Up Modem)
    - 1.1.2 Internet Broadband Service (Dial-Up Modem)
    - 1.1.3 Internet xDSL Service (xDSL Modem)
    - 1.1.4 Internet Leased Line Service (Leased Line)
    - 1.1.5 Internet on Fiber Optic Line Service (FTTx)
  - 1.2 Internet service on wireless network
    - 1.2.1 Internet WiFi Service
      - 1) Frequency band of 2.4 GHz with maximum transmit power (E.I.R.P.) 100 mW
      - 2) Frequency band of 5.150 – 5.350 GHz with maximum transmit power (E.I.R.P.) 0.2 W
      - 3) Frequency band of 5.470 – 5.725 GHz with maximum transmit power (E.I.R.P.) 1 W
      - 4) Frequency band of 5.725 – 5.850 GHz with maximum transmit power (E.I.R.P.) 1 W
    - 1.2.2 Internet service via wireless network Cellular network
    - 1.2.3 Satellite Internet access service including to Internet service on aircraft
2. Voice over Internet Protocol (VoIP) Service
  - 2.1 Voice over Internet Protocol (VoIP (PC to PC))
  - 2.2 Voice over Internet Protocol (VoIP (PC to Phone))

## Unofficial Translation

2.3 Voice over Internet Protocol (VoIP (Phone to Phone))

3. Colocation, Dedicated Server, Backup Server, Virtual Private Server, Web Hosting and Mail Hosting Service

4. Electronic Data Interchange (EDI) Service

5. International call card (ICC) Service

6. Store-and-retrieve value-added Service

6.1 Tracking Service

6.1.1 GPS Tracking Service

6.1.2 Vessel Monitoring System (VMS) Service

6.1.3 Electronic Reporting System (ERS) Service and Electronic Monitoring

(EM) Service

6.2 Cloud Computing Service (In case of telecommunications licensee provide service or telecommunications network for user.)

7. Electronic Facsimile Service

8. Forward Call Service

9. Video conference Service

10. Audio text Service

11. Radio over Internet Protocol (RoIP) Service

12. Resale of Public Switched Telecommunications Service

12.1 Leased Circuit/ Channel Service

12.1.1 Domestic Service

1) Digital Subscriber Line (xDSL) Service

2) Integrated Services Digital Network (ISDN) Service

3) Asynchronous Transfer Mode (ATM) Service

4) Leased Line Service

5) Frame Relay Service

6) Multi-Protocol Label Switching (MPLS) Service

7) Ethernet Service

8) Dark Fiber Service

9) Virtual Private Network (VPN) on mobile network Service

10) Virtual Private LAN Service (VPLS)

11) Internet Protocol (Internet Protocol Virtual Private Network -

IP VPN) Service

12) National Internet Exchange (NIX) Service

## Unofficial Translation

- 13) SIP Trunk Service
- 12.1.2 International Service
  - 1) International Private Leased Circuit (IPLC) Service
  - 2) International Internet Gateway (IIG) Service
- 12.2 Public Switched Telecommunications Service
  - 12.2.1 Domestic Service
    - 1) Fixed telephone Service
    - 2) Public telephone Service
    - 3) Mobile Telephone Service
    - 4) Mobile Virtual Network Operator (MVNO) Service of Thin or  
Medium level
    - 5) General Packet Radio Service (GPRS)
    - 6) Value Added Service (VAS) - Short Message Service (SMS)
    - 7) Internet Service
  - 12.2.2 International Service
    - 1) International Direct Dialing (IDD) Service
- 12.3 Resale of other Telecommunications Services
  - 12.3.1 Trunked Radio Service
    - 1) Digital Trunked Radio Service
    - 2) Analog Trunked Radio Service
    - 3) Analog/Digital Conventional Trunked Radio Service
  - 12.3.2 International Calling Card (ICC) Service
  - 12.3.3 Very Small Aperture Terminal (VSAT) Service
  - 12.3.4 Satellite Uplink/ Downlink Service from Transmission Platform
  - 12.3.5 Satellite Uplink/ Downlink Service from ground station
- 13. Wholesale of Telecommunications Services
  - 13.1 Non facilities based MVNO of medium or thin level
  - 13.2 Mobile Virtual Network Aggregator (MVNA) Service
  - 13.3 Resale of telecommunications licensee's services
- 14. Fixed telephone service through fixed and mobile phone service provider
- 15. Domestic / international telephone service calling from mobile phone through  
signal convertor
- 16. Other telecommunications services as prescribed by the NBTC.

	<h2 style="margin: 0;">Application Form for Telecommunications Business License</h2>
---	--

**Application Submission**

<b>1)</b>	<input type="checkbox"/> New applicant			
	1.1) Non – Facility Based	<input type="checkbox"/> Type 1	<input type="checkbox"/> Type 2	
	1.2) Facility Based	<input type="checkbox"/> Type 2	<input type="checkbox"/> Type 3	
<b>2)</b>	<input type="checkbox"/> Request for additional service(s)	Former license No. ....		
<b>3)</b>	<input type="checkbox"/> Renewal	Former license No. ....		

**Section 1: Applicant’s Information**

<b>1.1</b>	<b>Juristic Person</b>	
<b>1.2</b>	<b>Address of Applicant</b>	
<b>1.2.1</b>	<b>Headquarter Address <i>(As given in the supporting documentation)</i></b>	
	Address	
	Postal Code	
	Telephone No.	
	Fax No.	
	Email Address	
	Website	
	Latitude/Longitude	
<b>1.2.2</b>	<b>Correspondence Address <i>(Please Specify if different from item 1.2.1 above)</i></b>	
	Address	
	Postal Code	
	Telephone No.	
	Fax No.	
	Email Address	
	Website	
	Latitude/Longitude	

I hereby certify that all above information is true in all respects. Signature.....

	<p><b>Application Form for Telecommunications Business License</b></p>
---	--

<b>1.3</b>	<b>Authorized Person(s) acting for the corporate</b> <i>(As given in the Juristic Person's Certificate)</i>	
<b>1.3.1</b>	<b>Authorized Person (1st person)</b>	
	Name	
	Position	
	Telephone No.	
	Fax No.	
	Email Address	
<b>1.3.2</b>	<b>Authorized Person (2nd person)</b>	
	Name	
	Position	
	Telephone No.	
	Fax No.	
	Email Address	
<b>1.3.3</b>	<b>Authorized Person (3rd person)</b>	
	Name	
	Position	
	Telephone No.	
	Fax No.	
	Email Address	
<b>1.4</b>	<b>Contact Person</b>	
<b>1.4.1</b>	<b>Contact Person (1st Person)</b>	
	Name	
	Position	
	Telephone No.	
	Fax No.	
	Email Address	
<b>1.4.2</b>	<b>Contact Person (2nd Person)</b>	
	Name	
	Position	
	Telephone No.	
	Fax No.	
	Email Address	

I hereby certify that all above information is true in all respects. Signature.....

	<p><b>Application Form for Telecommunications Business License</b></p>
---	--

**Section 2: Telecommunications Business Information**

<b>2.1</b>	<b>Telecommunications Network Provision for Requested Service(s)</b>
	<input type="checkbox"/> With his or her own telecommunications network whether any part of service. <input type="checkbox"/> Without his or her own telecommunications network whether any part of service. <input type="checkbox"/> Intend to operate the business with his or her own telecommunications network whether any part of additional new telecommunications network built specifically for the provision of such services.
<b>2.2</b>	<b>Type of Telecommunications Network for Requested Service(s)</b>
<b>2.2.1</b>	<p>Wireline Network</p> <input type="checkbox"/> Copper Wire Network <input type="checkbox"/> Fiber Optic Network <input type="checkbox"/> Submarine Cable Network <input type="checkbox"/> Power Line Network <input type="checkbox"/> Others (please specify) .....
<b>2.2.2</b>	<p>Wireless Network</p> <input type="checkbox"/> Satellite Network <input type="checkbox"/> Mobile Network <input type="checkbox"/> Specific Group Network ,for example, Trunked Radio Service, Single Channel Service and Multi-Channel Service <input type="checkbox"/> Telephone Wireless Network ,for example, Wireless Local loop (WLL) <input type="checkbox"/> Wireless Link Network ,for example, Photonic Link Service, Microwave Uplink/Downlink Service and Internet Service <input type="checkbox"/> Photonic Network <input type="checkbox"/> Other Electromagnetic Wave Network <input type="checkbox"/> Others (please specify) .....
<b>2.2.3</b>	<p>Facilities of Telecommunications services</p> <input type="checkbox"/> Telecommunications infrastructure ,for example, towers, duct and pole <input type="checkbox"/> Others (please specify) .....
<b>2.3</b>	<b>Preferred Telecommunications service(s)</b>
<b>2.3.1</b>	<p>Non-Facilities Based Telecommunications Service</p> <input type="checkbox"/> Internet Service <input type="checkbox"/> Voice over Internet Protocol (VoIP) Service

I hereby certify that all above information is true in all respects. Signature.....



	<h2>Application Form for Telecommunications Business License</h2>
---	---

	<input type="checkbox"/> International Calling Card (ICC) Service <input type="checkbox"/> Audio text Service
--	--

	<input type="checkbox"/> Store-and-Retrieve Value-Added Service <ul style="list-style-type: none"> <li><input type="checkbox"/> GPS Tracking Service</li> <li><input type="checkbox"/> Vessel Monitoring System (VMS) Service</li> <li><input type="checkbox"/> Others (please specify) .....</li> </ul> <input type="checkbox"/> Resale of Telecommunications Service <ul style="list-style-type: none"> <li><input type="checkbox"/> Leased Circuit/Channel Service</li> <li><input type="checkbox"/> Public Switched Telecommunications Service ,for example, Fixed Line Service, Public Phone Service, Mobile Telephone Service and Mobile Virtual Network Operator (MVNO) Service of Thin or Medium level</li> <li><input type="checkbox"/> Others (please specify) .....</li> </ul> <input type="checkbox"/> Very Small Aperture Terminal - (VSAT) Service <input type="checkbox"/> Telecommunications Service for Taxi <input type="checkbox"/> International Internet Gateway (IIG) Service and National Internet Exchange (NIX) Service <input type="checkbox"/> Others (please specify) .....
--	--

<b>2.3.2</b>	<b>Facilities Based Telecommunications Service</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Public Switched Telephone Service</li> <li><input type="checkbox"/> Integrated Services Digital Network Service</li> <li><input type="checkbox"/> Public Cellular Mobile Telephone Service</li> <li><input type="checkbox"/> Leased Circuit/Channel Services</li> <li><input type="checkbox"/> Public Trunked Radio Service</li> <li><input type="checkbox"/> Public Broadband Multimedia Service or Broadband Internet Service</li> <li><input type="checkbox"/> Terrestrial Link Service</li> <li><input type="checkbox"/> Satellite Uplink/Downlink Service via Ground Station</li> <li><input type="checkbox"/> Very Small Aperture Terminal - ( VSAT) Service via Own Ground Station</li> <li><input type="checkbox"/> Satellite Internet Service via Own Ground Station</li> <li><input type="checkbox"/> International Internet Gateway (IIG) Service and National Internet Exchange (NIX) Service</li> <li><input type="checkbox"/> Others (please specify) .....</li> </ul>
--------------	---

I hereby certify that all above information is true in all respects. Signature.....

	<b>Application Form for Telecommunications Business License</b>
---	---

**Section 3: Certificate of Applicant**

3.1	I hereby certify that I have all the required qualifications and that all the information and accompanying evidence submitted for consideration are true and complete.
3.2	I agree to have the Commission immediately revoke or terminate my license if it is subsequently found that any of said qualifications is lacking or any document is false.
3.3	I have read and understood all the criteria as prescribed in the notification regarding criteria and procedure for granting a Telecommunications Business License and agree to comply without any condition.

Signature .....	Authorized person acting for the corporate (1st Person) (.....)
Date/Month/Year .....	
Signature .....	Authorized person acting for the corporate (2nd Person) (.....)
Date/Month/Year .....	
Signature .....	Authorized person acting for the corporate (3rd Person) (.....)
Date/Month/Year .....	

I hereby certify that all above information is true in all respects. Signature.....