



10 August 2021

Sen. Maria Lourdes “Nancy” Binay
Chairperson, Committee on Science and Technology
Philippine Senate

Re: Request for public hearing on Open Access in Data Transmission bill

Dear Senator Binay,

My name is Chat Garcia Ramilo, I am a Filipino citizen and the Executive Director of the Association for Progressive Communications (APC). APC is an international network of civil society organisations established in 1990 dedicated to ensuring that the internet is developed and governed as a global public good. Since 2017, APC has been implementing an initiative that aims to contribute to an enabling ecosystem for the emergence and growth of community networks and other community-based connectivity initiatives in many countries. Through APC’s Sector membership in the International Telecommunications Union (ITU), we participate in different ITU processes and provide advice to ITU’s Council Working Group on Internet related policies and the Global Symposium of Regulators, among others. APC also provides technical assistance to regulatory authorities, as well as training for regional regulatory associations and policy makers. To create a more enabling regulatory framework for local operators and community networks, we undertake evidence based research on the impacts of these complementary access models and contribute submissions to national public consultations.

We were able to attend the Senate’s webinar on the “Open Access in Data Transmission Act” last July 7. It was a good opportunity to learn more about the bill and hear the opinion and statement of support of various stakeholders. Indeed, the Open Access bill can be considered a landmark legislation, as it encourages investment in key segments of the data transmission network as well as empower community networks to thrive.

To facilitate the enactment of the legislation, we urge you as chair of the Science and Technology Committee to conduct a public hearing on Senate Bills 45 and 911 filed by Senators Ralph Recto and Grace Poe, and Ramon Revilla, Jr.

The Open Access bill aims to bridge the broadband infrastructure gap by bringing in more players in the data transmission or broadband sector. If passed, the Open Access bill will provide a competitive policy and a regulatory framework that lowers the barriers and cost to enter the data transmission market, which will significantly improve the data transmission services (faster internet speed and lower internet cost) throughout the country. The bill will:

1. Allow all broadband industry participants, including Internet service providers (ISPs) and Value-added service (VAS) providers, most especially those who operate in the rural areas, to connect to the government's National Broadband Plan (NBP) infrastructure, thus extending the benefits of the NBP to the Filipino consumer.
2. Encourage different types of providers to build the "arterial road," or the so-called middle mile, leading to the communities to provide free public Wi-Fi connectivity or commercial Internet service.
3. Institutionalize infrastructure-sharing and the streamlining of permits and regulatory requirements, which the NTC and existing providers have identified as the major stumbling block to the rollout of broadband networks, and which relevant agencies, such as the DICT and ARTA, have promoted through executive issuances.
4. Promote the use of any technology, such as mobile, wired, wireless, satellite, and other internet technologies, that is appropriate for providing Internet service even in the remote rural areas.
5. Provide a consultative mechanism for distributing and managing radio spectrum for Internet use to ensure that more communities will benefit from wireless connectivity, and not just the highly commercial or urbanized areas, and that the State will get the most value for spectrum resources.

Our organization is part of a growing number of supporters from government and private sector organizations for Open Access. To date, below is the list of supporters who have publicly expressed support for the bill:

- Economic Development Cluster of the Cabinet -Department of Finance (DoF); National Economic Development Authority (NEDA); Department of Budget Management (DBM);
- Department of Information and Communications Technology (DICT)
- National Telecommunications Commission (NTC)
- Bangko Sentral ng Pilipinas (BSP)
- NEDA Board, Regional Development Committee for Mindanao
- Mindanao Development Authority (MinDA)
- Philippine Chamber of Commerce and Industry (PCCI)
- Philippine Exporter's Confederation (PHILEXPORT)
- Employers Confederation of the Philippines (ECOP)
- Alyansa Agrikultura
- Foundation for Economic Freedom (FEF)
- Federation of Filipino Chinese Chambers of Commerce & Industry (FFCCCII)
- IT and Business Process Association of the Philippines (IBPAP)
- Management Association of the Philippines (MAP)

- Makati Business Club (MBC)
- Semiconductor and Electronics Industries in the Philippines Foundation, Inc. (SEIPI)
- Joint Foreign Chambers (JFC)
- Covid-19 Action Network (CAN)
- Fintech Alliance.ph
- Financial Inclusion Steering Committee (FISC)
- Better Broadband Alliance (BBA)

We look forward to your favorable response and support for this landmark digital connectivity legislation.

Sincerely,



Concepcion Chat Garcia Ramilo
Executive Director