

Telecoms - Taiwan

Further broadband access policy implemented

Contributed by **Shay & Partners**

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In addition to its spectrum release for the fourth-generation (4G) Long-Term Evolution (LTE) schedule in upcoming years, the National Communications Commission (NCC) has announced a parallel move to improve broadband access available to general users for fixed-line networks.

Between 2015 and 2017 the NCC plans to release by auction up to a total of 360 megahertz (MHz) in the 2,600MHz, 1,900MHz, 2,100MHz and 850MHz frequency bands for mobile broadband licenses. Existing 4G LTE operators will soon face another spectrum competition in the third quarter of 2015. Meanwhile, the NCC has taken an aggressive approach encouraging leading 4G LTE operators which are also incumbents in the second-generation (2G) mobile phone market to transfer 1,800MHz of licensed use from 2G to 4G. On March 25 2015 FarEastone became the first incumbent to render its 2G licence to the NCC in order to accelerate 4G LTE deployment.

The NCC has coordinated with the Ministry of Interior Affairs to implement a new policy on broadband access of fixed-line networks. On March 4 2015 the NCC announced its fibre-to-the-home enforcement measure (FTTH) that all new-build government condominium, residential apartments with more than three living units, as well as office and commercial buildings with more than 1,000 square metres of floor space, must be optical-fibre ready rather than equipped with traditional copper wire access. The regulation is expected to become be enforced no later than June 2015.

In general, telecoms operators welcome the policy. However, cable operators have filed requests for clarification regarding whether they should be qualified in the installation and provision of FTTH services. Consumer advocates have requested immediate clear guidance from the NCC regarding the monopoly issue, particularly as building owners are unlikely to be able to afford dual networks for the facility. For buildings currently in use, the replacement of existing service providers to ensure an upgrade to an FTTH environment is a problem that should be looked into. The NCC will carry out further public consultation regarding proper amendments to the proposed regulation.

For further information on this topic please contact [Arthur Shay](#) at Shay & Partners by telephone (+886 2 8773 3600) or email (arthur@elitelaw.com). The Shay & Partners website can be accessed at www.elitelaw.com.

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