

**TELECOMS - TAIWAN** 

## Administrative hearing on final destination of WBA service

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The National Communications Commission (NCC) is about to remove the final barrier to its upcoming auction of mobile broadband communication licences for fourth generation (4G) long-term evolution. The auction is expected to be conducted no later than November 2015 and the spectrum will be awarded by the end of 2015 (for further details please see "2600 megahertz band to be released for auction"). According to the NCC's October 7 2015 decision, an administrative hearing will soon be held. The hearing's findings will be the basis for a further NCC decision regarding the survival of Global Mobile Corp (G1), the only remaining wireless broadband alliance (WBA) service operator since 2008.

On October 4 2015 the NCC withdrew its approval of changes to the WBA operation plan submitted by G1, which sought to upgrade to worldwide interoperability for microwave access 2.1 and network deployment through small stations. However, the NCC found that no progress had been made. G1 argued that its domestic suppliers could not meet the scheduled delivery requirement and later contested the NCC's approval demands for changes in its operation plan. Things turned ugly when G1 initiated a press campaign and attacked the NCC for unfair policy treatment towards WBA operators among 4G service providers. The NCC immediately fought back with an explanation in a lengthy press release – unusual practice for the NCC. The NCC disclosed considerable detail regarding what G1 has yet to comply with regarding the deployment of the network. The NCC has also criticised G1's refusal to publicise information about its service coverage, which has been deemed unacceptable for the purposes of consumer rights protection.

Pending the NCC's decision, G1 has requested a licence renewal for a further six years. G1's existing WBA service operates in the middle of the proposed 2.6 gigahertz band for upcoming 4G mobile broadband licence bidding. If the NCC eventually abandons WBA – as anticipated by most industry analysts – the time division duplex frequencies occupied by the WBA operator might be better presented with a higher valuation in the upcoming bid.

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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## AUTHOR

## Arthur Shay

