



The Supreme Administrative Court reversed the decision of the court of first instance regarding complaints revoking the merger of True-Dtac

The Supreme Administrative Court stated that the telecommunication service is a fundamental service, which widely affects the public, and there are a smaller number of service providers, which is almost regarded as monopoly. Thus, this merger deal affects the trade competition and the public.

On 25 March 2024, the Supreme Administrative Court reversed the judgment of the court of first instance who had refused to accept the complaints filed by 5 consumers, regarding the revocation of the merger deal and the Announcement of the NBTC on standard and criteria for merger and acquisition of telecommunication businesses. The Supreme Administrative Court had the order to the Central Administrative Court to accept such complaints. However, the Supreme Administrative Court stated that even though the prescription period to file complaints had lapsed, this case is considered as for the public interest under section 3 of the Act on Establishment of Administrative Courts and Administrative Court Procedures and the Administrative Court has the power to accept the complaints

for consideration under section 52 of the Act.

The consumers said that the merger between True and Dtac caused damage to most of service users, including the AIS customers, and the Announcement of the NBTC was unlawful. According to the situation, True became only one significant player, alongside with AIS, in the telecommunication businesses, leading to increase of the service prices and consumers have only one option to select service providers between AIS and True.

Therefore, the Supreme Administrative Court ruled that this case widely and significantly affects the consumers and the public and the Administrative Court shall have the power to accept the complaints from 5 consumers for further consideration.