

**\*\*Title:\*\*** National Power Corporation vs. Heirs of Noble Casionan

**\*\*Facts:\*\***

On June 27, 1995, Noble Casionan, a 19-year-old pocket miner from Dalicno, Ampucao, Itogon, Benguet, was electrocuted when a bamboo pole he was carrying touched one of the sagging high-tension transmission lines of the National Power Corporation (NPC). These lines, initially installed by NPC in the 1970s, had deteriorated over time, hanging as low as 8 to 10 feet above the trail, posing a severe hazard to passersby.

Despite repeated verbal and written requests made by community elders since 1991 for NPC to institute safety measures and repair the sagging lines, the company failed to take effective action. On the day of the incident, Noble and his co-miner, Melchor Jimenez, were carrying bamboo poles towards their work site. As they walked along the trail beneath the high-tension lines, the pole Noble carried touched the wire, electrocuting him.

Following his death, police investigators confirmed the dangerously low-hanging wires and lack of warning signs on the trail. The community informed NPC of the fatality, after which NPC conducted repairs and installed warning signs.

Consequently, the parents of Noble Casionan filed a suit for damages against NPC before the Regional Trial Court (RTC) in Benguet. NPC contended that the danger signs were installed but stolen, and argued Noble was negligent in carrying the pole that caused his electrocution.

**\*\*Procedural Posture:\*\***

1. **\*\*RTC Decision (February 17, 1998)\*\*:**

- **\*\*Ruling in favor of the respondents:\*\*** NPC was deemed negligent in maintaining the transmission lines.

- **\*\*Damages Awarded:\*\*** ₱50,000 as indemnity, ₱100,000 as moral damages, ₱50,000 as exemplary damages, ₱52,277.50 as actual damages, ₱720,000 as unearned income, and ₱20,000 as attorney's fees.

- **\*\*NPC's Counterclaim:\*\*** Dismissed for lack of merit.

2. **\*\*Court of Appeals Decision (June 30, 2004)\*\*:**

- **\*\*Affirmation with modification:\*\*** The award of moral damages was reduced to ₱50,000, and the attorney's fees were deleted for lack of express basis in the RTC's decision body.

3. **\*\*Presented to Supreme Court\*\*** on the grounds of contributory negligence by the victim

and excessive damages awarded by lower courts.

**\*\*Issues:\*\***

1. **\*\*Contributory Negligence:\*\*** Whether the award for damages should be deleted or mitigated due to contributory negligence of the victim.
2. **\*\*Basis for Damages:\*\*** Whether the awards for unearned income, exemplary, and moral damages were justified or should be deleted.

**\*\*Court's Decision:\*\***

**\*\*1. Contributory Negligence:\*\***

- **\*\*No contributory negligence:\*\*** The Supreme Court found no contributory negligence on Noble's part. The proximity of the high-tension wires (8-10 feet) fell below the required safe distance (18-20 feet). Since Noble and other community members regularly used the trail without warning signs of potential danger, his death resulted from NPC's negligence rather than Noble's actions.

**\*\*Doctrine Applied:\*\***

- **\*\*Negligence:\*\*** NPC's failure to maintain the wires safely constituted gross negligence.
- **\*\*Contributory Negligence:\*\*** The court established that contributory negligence requires the injured party's actions to have lawfully caused the injury but failed to find this in the present case.

**\*\*2. Damages:\*\***

- **\*\*Loss of unearned income:\*\*** The computation of ₱720,000 as the victim's unearned income was upheld, following the formula of life expectancy reduced to 50% accounting for personal expenses.
- **\*\*Exemplary damages:\*\*** Upheld at ₱50,000 due to NPC's gross negligence.
- **\*\*Moral damages:\*\*** Affirmed by reducing to ₱50,000 to prevent excessive enrichment and align with actual moral suffering incurred.
- **\*\*Attorney's fees:\*\*** Validly deleted for lack of detailed justification in the RTC's decision.

**\*\*Doctrine:\*\***

- **\*\*Gross Negligence:\*\*** Defined as the want of even slight care or diligence and a reckless disregard for the consequences.
- **\*\*Contributory Negligence:\*\*** Plaintiff's partial responsibility in injury necessitates a reduction in compensated damages (Civil Code Article 2179).

**\*\*Class Notes:\*\***

- **Negligence (Article 2176, Civil Code):** Failure to exercise due care, leading to damage to another.
- **Contributory Negligence (Article 2179, Civil Code):** Victim's partial contribution to their injury reducing the liability of the defendant.
- **Exemplary Damages (Article 2231, Civil Code):** Awarded in cases of gross negligence to set an example.
- **Moral Damages (Article 2217, Civil Code):** Intended to compensate for mental anguish and suffering.

**Historical Background:**

This case highlights the persistent issue of corporate entities in the Philippines historically neglecting the maintenance of public safety measures and the subsequent litigation arising due to injuries and fatalities. It underscores the responsibility imposed by the judiciary on utility companies to safeguard community members against foreseeable risks, reinforcing stringent adherence to maintenance and safety evaluations. This decision significantly impacts future corporate liability cases in the context of public safety and maintenance responsibilities.