NATIONAL ADMINISTRATIVE REGISTER · JUNE 16, 2011

PETITION FOR TAXI FARE INCREASE IN THE CORDILLERA ADMINISTRATIVE REGION

LTFRB CONSOLIDATED DECISION, June 16, 2011

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JOCELYN PANAYO represented by Melanio Panayo

Case No. _____

LTFRB Case No. 2005-BENG-CAR-371

2002-BC-388; 2002-BC-573 For: petition for Taxi Fare

Increase in the Cordillera

JOCELYN MARRERO represented by Rommel Marrero Sr. Administrative Region

LTFRB Case No. 2004-BAG-CAR-428

RAQUEL BUSTAMANTE

LTFRB Case No. 2002-BC-203; 2002-BC-204

CRISPINA MERLINA GRAJO represented by Venusto D. Dacpano

LTFRB Case No. 98-BC-204

EMMANUEL G. CARANTES

LTFRB Case No. 2004-BAG-CAR-404

Petitioners,

CONNIE TONGAWAN

LTFRB Case No. 2003-CAR-1133

REYNALDO S. GAYO

LTFRB Case No. 2001-01-3178

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SHIRLEY EVANGELISTA

LTFRB Case No. 99-01-2402

GEORGE BAY-ED

LTFRB Case No. 2001-01-609

ELPIDIOLITILIT

LTFRB Case No. 97-01-1396

Intervenors,

JANE B. MABALOT

LTFRB Case No. 98-BC-630

Oppositor.

x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x

CONSOLIDATED DECISION

Before the Board is a petition for a fare increase of public utility taxi service in the Cordillera Administrative Service filed by the above-petitioners on January 7,2011, they are asking for an increase of fare as follows:

CURRENT RATE

PROPOSED RATE

INCREASE

Flag Down - P25.00 for the 1st 400 meters 45.00 for the 1st 400 meters Php15.00

Additional - 1.50/succeeding 200 meters 2.00/succeeding 150 meters Php.50 & less 50m

Waiting time - 1.50/1 min. and 30 sec. 2.00/1 min. and 30 sec.

Php.50

In their petition, Petitioners alleged that the last increase of taxi fare in the Cordillera Administrative Region was in 2004 and that at present, the price of gasoline and diesel has increased abnormally not to mention the increase of prices of spare parts, maintenance and other operational costs. Petitioners further argued that the drastic

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increase in fuel prices has greatly reduced the income being earned by the operators and drivers of taxi services in the Cordillera which is barely enough to make ends meet for their families. Further they alleged that the price of fuel in the Cordillera is costlier and fuel consumption is higher considering the terrain in the region thus warranting an increase. They presented some statistical data allegedly supporting their claims and prayed that an immediate relief be granted to them. Accordingly, an urgent relief is necessary for them to be able to continue quality transport service to the public in the midst of the unabated increase in fuel prices.

Hearing for the petition for taxi fare increase was set on February 7, 2011 after due notice to the public and publication in the newspaper of general circulation. Then on January 26,2011, a Motion for Intervention by the above-named Intervenors was filed supporting the petition for increase of taxi fare filed by petitioners.

During the hearing conducted on February 7, 2011, an opposition was filed and manifested in open court and the Oppositor was given ten days within which to file their written opposition. Opposition was timely filed on February 15, 2011. In her Opposition, above-named Oppositor opposed the rates prayed for by petitioners and Intervenors and argued that a plain add-on scheme of Fifteen Pesos (Php15.00) over the total of the fare to be paid would be better for the commuters, drivers and operators.

While continuation of hearing was being scheduled, an Urgent Petition was filed by the above petitioners asking for provisional increase pending hearing and resolution of the main petition. The petition for provisional increase however, was again opposed by the above-named oppositor. Order was then issued by hearing officer upon agreement of all the parties that the cases be consolidated and for them to submit their respective position papers. Thereafter, the case files shall be transmitted to the Board for resolution, being a contested case.

The Board received the case files transmitted by the Department of Transportation and Communications, Cordillera Administration Region (DOTC-CAR) on April 13, 2011. This Office takes judicial notice of the considerable increase in the price of fuel and its corresponding effect on the earnings of the petitioners. The Board likewise recognizes the urgent and pressing need to grant an increase in taxi fares to enable them to continue rendering safe, efficient and adequate transport service. In granting an immediate relief to the petitioners as a result of an increase in oil prices, it must consider if the increase is reasonable and affordable to the commuters while being just and viable to the operators and drivers. Indeed, there is evident necessity in the adjustment of fare and its urgency if only to help the operators stay reasonably afloat and to insure the continued operation of an adequate, safe and efficient taxi transport services.

In the grant of taxi fare increase for the Cordillera Administrative Region however, factors must be duly considered in coming up with what is fare and reasonable rate.

Peak of taxi operation is during holidays and summer breaks where arrival of tourists is usually expected. Without them, passengers would be limited to the residents, a lot of whom have their own motor vehicles, and the bulk patronizes the mass transportation or PUJ. Too, sources of income and livelihood in Baguio City and Benguet Province, where these taxi services mainly operate, are very limited which means a lesser paying-capacity of the people. A high taxi service rate would discourage the public from riding in these transport services.

The population of Baguio City and Benguet is also smaller compared to Metro Manila and other key cities in the country where there are taxi services. For Baguio City, a large number of the population comprises of students who usually take the public utility jitneys as their main mode of transportation. It is thus imperative for these taxi operators to maintain a competitive rate to encourage the public to patronize the taxi services.

Moreover, most of the barangays in Baguio City are usually within the four to six kilometer distance from the central business district. It means that the taxi services here have only to operate at shorter distances than in metro

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cities. This translates to more frequent trips and flag downs and thus bigger earnings.

The cold weather in the Cordillera Region does not really require the use of air conditioner while operating the taxi services unlike in other cities or provinces where the air conditioners in taxi services are always turned on for convenience. This factor indicates less gas consumption and it more than compensates for the issue on the terrain in Baguio City as raised by the Petitioners.

There is no clear showing or substantial evidence that the amount of increase in fare being asked for by petitioners is what is really warranted under the circumstances. Although they presented figures and computations, it did not sufficiently prove that the proposed rate is justified, fair, reasonable and affordable.

WHEREFORE, PREMISES CONSIDERED, an increase in fare for taxi services in the Cordillera Administrative Region is hereby GRANTED. The fare shall be increased from Twenty Five Pesos (Php25.00) to Thirty Five pesos (Php35.00) for the first Four Hundred WO) meters and from One Peso and Fifty Centavos (Php1.50) to Two Pesos (Php2.00)for every succeeding Two Hundred (200) meters. Waiting time shall be increased from One peso and Fifty Centavos (Php1.50) to Two Pesos (Php2.00) for every minute and thirty seconds (1 min. 30 sec). The taxi fare increase shall be subject to the following terms and conditions:

- All duly franchised taxi operators in the Cordillera Administrative Region are deemed to have individually applied for an increase of rate and shall pay to the Board the corresponding filing fee for increase of fare in the amount of Five Hundred Ten Pesos (Php510.00) per case number;

- All taxicabs must be equipped either with taxi meters that have built-in receipts-issuer, or with printers that will issue a corresponding receipt to the passenger; if the taxi operator would wish to avail of the increase granted in this decision;

- All taxi operators in the Cordillera Administrative Region shall have their meters properly resealed by LTFRB's duly authorized personnel;

- All Taxi operators in the Cordillera Administrative Region shall have their taxi meters tested and resealed by the regional Board or its duly authorized representatives and shall pay the corresponding sealing and testing fee in the amount of Five Hundred Pesos (Php500.00) per unit pursuant to Department Order No. 2004-50;

- Taxi operators and their personnel are not allowed to charge the increase rate until the taxi meter is tested and resealed accordingly;

- It shall be the obligation and responsibility of the taxi drivers to perform the following:

- They shall wear their proper uniform and maintain neatness and proper grooming at all times. The drivers are prohibited from wearing shorts, sleeveless shirts (sandos) and slippers while operating or driving on duty;

- They shall not operate their respective vehicles and ferry passengers if their taxi meter is defective;

- They shall not engage in contracting of passenger and overcharging of fares;

- They shall not refuse any passenger nor ask them of their destination before boarding their taxi;

- They shall not round-off fares and must bring enough coins to give passengers their exact change. Candies or gums are not allowed as change;

- They shall issue a receipt to passengers at all times whether the passengers ask for it or not;

- A taxi driver who fails to observe the above-mentioned acts shall be subject to a penalty of Two Thousand Five Hundred (Php2,500.00) per offense;

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This Decision shall take effect Fifteen (15) days following its publication in a newspaper of general circulation or upon the filing of three (3) copies hereof with the U.P. Law Center, pursuant to Presidential Memorandum Circular No. 11, dated 09 October 1992.

SO ORDERED.

Adopted: 16 June 2011

[*] Effectivity Date; July 19, 2011

(SGD.) ENGR. SAMUEL JULIUS B. GARCIA

(SGD.) ATTY. MANUEL M. IWAY

Board Member

Board Member

Attested by:

(SGD.) ATTY. DANTE XENON B. ATIENZA

Executive Director

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