

AN ACT GRANTING LOURDES P. SANDIEGO A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN ICE PLANTS AND COLD STORAGE IN THE CITY OF IRIGA AND IN THE MUNICIPALITY OF BALATAN, PROVINCE ...

REPUBLIC ACT NO. 5959, June 21, 1969

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Be it enacted by the Senate and House of Representatives, of the Philippines in Congress assembled:

SECTION 1. Subject to the terms and conditions established in this Act and in Commonwealth Act Numbered One hundred forty-six, as amended, and to the provisions of the Constitution, there is hereby granted to Lourdes P. Sandiego, for a period of twenty-five years from the approval of this Act, the right, privilege and authority to construct, operate and maintain ice plants and cold storage in the City of Iriga and in the Municipality of Balatan, Province of Camarines Sur, for the purpose of manufacturing ice for distribution and sale, and for supplying cold storage in the whole Province of Camarines Sur and to charge and collect a schedule of prices and rates therefor which schedule of prices shall at all times be subject to regulation by the Public Service Commission or its legal successor.

SEC. 2. The grantee shall manufacture and supply ice up to the limit of the capacity of her plants as determined by the Public Service Commission.

SEC. 3. The apparatus and appurtenances to be used by the grantee shall be modern, safe and first class in every respect. Whenever the Public Service Commission shall determine that public interest reasonably requires it, the grantee shall change or alter any of the apparatus and appurtenances at grantee's expense, and should the demand for ice at anytime increase beyond the capacity of the plants of the grantee to supply the same, said capacity of the plants shall be increased by the grantee to meet such demand and in accordance with the decision of the Public Service Commission or its legal successor.

SEC. 4. If the grantee shall not commence the contraction of her ice plants and cold storage within two years from the approval of this Act, unless prevented by an act of God or force majeure, martial law, riot, civil commotion, usurpation by a military power or any other cause beyond the grantee's control, this franchise shall become null and void.

SEC. 5. This franchise is granted with the understanding and upon the condition that it shall be subject to amendment, alteration, or repeal by the Congress of the Philippines when the public interest so requires.

SEC. 6. The books, records and accounts of the grantee shall always be open to inspection by the city treasurer or his authorized representatives, and it shall be the duty of the grantee to submit to the city treasurer quarterly reports in duplicate showing the gross receipts for the past quarter, one of which shall be forwarded to the city treasurer and one to the Auditor General who shall keep the same on file.

SEC. 7. The grantee shall be liable to pay the same taxes, unless exempted therefrom, on her business, real estate, buildings and personal property, exclusive of this franchise, as other persons or corporations are now or hereafter

may be required by law to pay.

SEC. 8. This franchise is granted subject to the provisions of Commonwealth Act Numbered One hundred forty-six, as amended, only with respect to the fixing of rates.

SEC. 9. The grantee is authorized to mortgage her plant to any individual or banking or financial institution for purposes of expanding her business under this franchise.

SEC. 10. In consideration of this franchise the grantee shall pay a tax equivalent to five per cent of her gross income.

SEC. 11. This franchise shall supersede the certificate of public convenience and necessity granted to Santiago G. Ortega and Felisa D. Ortega by the Public Service Commission, the said persons having conveyed said certificate to herein grantee.

SEC. 12. This Act shall take effect upon its approval.

Enacted without Executive approval, June 21, 1969.

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