

MIGUEL R. MATEO, PETITIONER, VS. THE PUBLIC SERVICE COMMISSION AND MANUEL BORJA, RESPONDENTS.

G.R. No. L-1442. August 30, 1949

Ponente: PARAS, J.

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PARAS, J.:

The respondent Manuel Borja is an operator of a transportation service between Dampalit (Malabon, Rizal) and Divisoria (City of Manila) by virtue of an emergent certificate of public convenience. He filed an application with the Public Service Commission for authority to add to his Equipment four more buses, to make additional trips, and to extend his line from Malabon to Santa Cruz, Manila. The petitioner Miguel R. Mateo and the Pasay Transportation Company opposed the application. After hearing, the Public Service Commission granted the application, subject to the conditions set forth in the decision. This is sought to be reversed by the petitioner Miguel R. Mateo.

After examining the record we are convinced that there is ample evidence to support the appealed decision. We have no doubt that the application of respondent Manuel Borja would promote the convenience of travelling public on the line in question, it appearing that (1) while the petitioner Miguel R. Mateo had before the war 51 Buses, actually he is operating only 17 buses; (2) while before the war about 600 carretelas were operating on the line in question, there is now only an insignificant number of said means of travel; (3) the street car service maintained by the Manila Electric Company before the war, is no longer in existence; (4) the population of Malabon has increased from less than 20,000 before the war, to nearly 40,000 at present; (5) as a matter of fact, the petitioner Miguel R. Mateo is himself desirous of adding to his present equipment five more units.

Wherefore, the decision of the Public Service Commission is affirmed, and it is so ordered with costs against the petitioner.

Moran, C.J., Ozaeta, Feria, Bengzon, Padilla, Tuason, Montemayor, and Reyes, JJ., concur.

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