

IMPLEMENTING GUIDELINES ON THE AMENDMENT OF AUTHORIZED ROUTES OF METRO MANILA CITY BUS SERVICE

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Adopted: 21 July 2014

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Pursuant to Sec. 5 (a) of Executive Order No. 202 granting authority to the Board to prescribe and regulate routes of service, economically viable capacities and zones or areas of operation of public land transportation services provided by motorized vehicles in accordance with the public land transportation development plans and programs approved by the Department of Transportation and Communications and Section 16 (m) of the Public Service Act authorizing the Public Service Commission (now LTFRB) to amend, modify or revoke at any time any certificate issued under the provisions of the said Act, whenever the facts and circumstances on the strength of which said certificate was issued have been misrepresented or materially changed, this Board hereby promulgates these Implementing Guidelines on the Amendment of Authorized Routes of Metro Manila City Bus Service (“Implementing Guidelines”):

- The amendment of authorized routes that will be allowed under this Memorandum Circular shall consists merely of clarifying or updating the description or the “via” portion of the authorized routes of the bus operators.
- The bus operators with Non-EDSA, Routes listed in Memorandum Circular No. 2003-006 shall not be allowed to amend their authorized routes that will allow them to pass or traverse through EDSA.
- No new Certificates of Public Convenience (CPC) or franchises shall be issued to city bus operators by virtue of the amendment of their routes;
- Shortening or lengthening of route shall not be allowed in the amendment of authorized routes;
- A bus operator shall not be allowed to increase or decrease the authorized units of its existing franchises;
- The amendment of authorized routes to be conducted under this Memorandum Circular shall be subject to the establishment of Integrated Transport System as provided for under Executive Order No. 67, Series of 2012 and Administrative order No. 40 dated 16 July 2013 entitled “Providing for the Establishment of Interim Transport terminals in Preparation for the Integrated Transport System under E. O. No. 67.”
- Amendment of authorized route under this Memorandum Circular shall be without prejudice to the resolution of any pending case on the subject CPCs at the time of the effectivity of this Memorandum Circular.
- The following rules, in addition to the applicable provisions of the 2011 Revised Rules of Practice and Procedure before the LTFRB, shall be observed by the Board in hearing and deciding Petitions for Amendment of Authorized Route of city buses:
- Each bus operator on a per company basis shall file a verified Petition for Amendment of Authorized Route (“Petition”) involving any or all its existing and valid CPCs, including those expired CPCs but with pending Applications for Extensions of Validity;

- Cancelled CPCs shall not be included in the Petition;
- All Petitions filed in the Central Office shall be seven (7) copies and must indicate the proposed amendment of route and state the justification of such proposed amendment.
- All Petitions shall be supported by original copies of the Franchise Verification of all CPCs involved which is issued not more than one (1) month upon filing of the Petition. Other than the Franchise Verification, no other documentary requirement shall be required of the petitioner;
- Upon receipt of the Petition, the Legal Division shall issue a Notice of Hearing. The petitioner shall cause the publication of the Notice of Hearing and Petition at least ten (10) DAYS before the scheduled hearing in any major news paper of general circulation in the entire Philippines;
- The Petitioner shall also cause the posting of the Notice of Hearing and the Petition in the LTFRB's bulletin board. Proof of posting shall be submitted during the hearing;
- If the Petitioner fails to cause the publication of Notice of Hearing and Petition as above provided, a Second Notice of Hearing may be issued upon payment of the required fees. Subsequent failure to comply with the jurisdictional requirements shall cause the dismissal of the application for lack of interest;
- During the hearing, the petitioner or his duly authorized representative shall personally appear AND be assisted by counsel of his own choice;
- Any party who contests the Petition must file a written opposition on or before the scheduled initial hearing of the Petition; and
- Before the petition shall be submitted for Resolution, the Technical Division shall conduct a validation survey of the proposed amendment of route and submit its report and recommendations to the Board;
- If the Petition is found to be complete in form and substance with the Franchise Verification including the Technical Division's Report and recommendation referred to in the preceding paragraph, the same shall be submitted for resolution.
- Only the regular filing fee shall be paid by the Petitioner upon the filing of its Petition.
- All Petitions must be filed not later than 29 August 2014. No Petitions shall be accepted after 29 August 2014.

All other issuances or parts thereof inconsistent herewith are hereby modified, amended, or superseded accordingly.

This Memorandum Circular shall take effect immediately following its publication in a newspaper of general circulation and the filing of three (3) copies hereof with the UP Law Center pursuant to Presidential Memorandum Circular No. 11, dated 09 October 1992.

SO ORDERED.

Quezon City, Philippines, July 21, 2014.

(SGD) ATTY. WINSTON M. GINEZ, CPA
Chairman

(SGD) ENGR. RONALDO F. CORPUS
Board Member

(SGD) ATTY. ANTONIO ENRILE-INTON, JR.
Board Member

Attested by:

(SGD) ATTY. ROBERTO P. CABRERA III
Executive Director

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