

AN ACT AMENDING ACT NUMBERED TWENTY-NINE HUNDRED AND EIGHTY-THREE ENTITLED "AN ACT GRANTING TO ESTEBAN DE LA RAMA A FRANCHISE TO INSTALL, OPERATE, AND MAINTAIN AN ELECTRIC LIGHT..."

Act No. 3665, December 07, 1929

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Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Section one of Act Numbered Twenty-nine hundred and eighty-three is hereby amended to read as follows:

"SECTION 1. Subject to the conditions established in this Act and the provisions of Act Numbered Thirty-one hundred and eight and amendments thereof, applicable thereto, there is hereby granted to the Panay Electric Company, for a period of fifty years from the approval of this Act, the right, privilege, and authority to construct, maintain, and operate an electric light, heat, and power system, for the purpose of generating and distributing electric light, heat, and power for sale within the limits of the municipalities of Iloilo, La Paz, Jaro, Arevalo, Santa Barbara, and Pavia, Province of Iloilo, Philippine Islands. The grantee shall further have the right and privilege to install, lay, and maintain on all the streets, public thoroughfares, bridges, and public places within said limits, poles, conductors, interrupters, transformers, cables, wires, and other overhead appliances, and all other necessary apparatus and appurtenances for the furnishing and distribution of electric current, and to supply, sell, and furnish such current to any person, corporation of public or private concern within said limits, for municipal, domestic or manufacturing uses and for any other use to which electricity may be put, and to charge and collect a schedule of prices and conventional rates for the use of same with the approval of the Public Service Commission."

SEC. 2. Section two of Act Numbered Twenty-nine hundred eighty-three as amended, is hereby amended to read as follows:

"SEC. 2. This Act and the right, privilege, and authority mentioned in the preceding section shall not take effect unless the grantee shall file his written acceptance of the conditions and terms in this Act with the Secretary of Commerce and Communications, as regards to the electric service of the municipalities of Iloilo, La Paz, Jaro, and Arevalo, and it shall not furnish electric service to the municipalities of Santa Barbara and Pavia under the privilege hereby granted nor begin any construction nor exercise any rights or privileges hereunder unless and until it shall have applied for within three years from the date of approval of this Act and obtained from the Public Service Commission the certificate of the public necessity and convenience of said concession relative to such electric service and construction and the exercise of such rights and privileges, in accordance with the provisions of Act Numbered Thirty-one hundred and eight, as amended, and shall have filed with the Secretary of Commerce and Communications, within the time fixed by the Public Service Commission, its written acceptance of the terms and conditions of said certificate, together with a document showing that it has made the deposit required in said certificate. In case the grantee does not begin to supply electricity in the municipalities referred to in the certificate secured and filed as herein provided within the time specified by the Public Service Commission, the latter may declare the certificate granted null and void

and the deposit made in accordance with section nine hereto forfeited to the municipality concerned, unless the grantee shall have been prevented from it by act of God or force majeure, usurped or military power, martial law, riot or civil commotion or other inevitable cause: Provided, however, That in case the grantee has been prevented by any or all of said causes from beginning to supply electricity within the period specified, the time during which it was so prevented shall be added to said period."

SEC. 3. Section eight of Act Numbered Twenty-nine hundred and eighty-three as amended, is hereby amended to read as follows:

"SEC. 8. The written acceptance of this franchise by the grantee shall be filed with the Secretary of Commerce and Communications within one hundred and twenty days from the date of the approval of this Act, and in consideration of this franchise and rights hereby granted the grantee shall pay into the municipal treasury of each municipality, in which it is supplying electricity to the public under this franchise, a tax equal to one and one-half per centum of the gross earnings of his electrical business in the corresponding municipality during the remaining thirty years of the life of said franchise. Said percentage shall be due and payable quarterly and shall be in lieu of all taxes of any kind levied, established, or collected by any authority whatsoever, now or in the future, on its poles, wires, insulators, switches, transformers and other structures, installations, conductors, and accessories, placed in and over the public streets, avenues, roads, thoroughfares, squares, bridges, and other places and on its franchise, rights, privileges, receipts, revenues, and profits, from which taxes the grantee is hereby expressly exempted."

SEC. 4. Section nine of said Act Numbered Twenty-nine hundred and eighty-three is hereby amended to read as follows:

"SEC. 9. The grantee shall be required by the Public Service Commission to make for each certificate of public necessity and convenience obtained by it in accordance with section two hereof, a deposit of not less than one thousand pesos, Philippine currency, or negotiable bonds of the United States or other securities approved by the Public Service Commission, of a face value of not less than one thousand pesos, Philippine currency, such deposit to be made in the Insular Treasury, within a period to be fixed by the Public Service Commission, as an earnest of good faith and a guarantee that the grantee, will, within a period also to be fixed by the Public Service Commission, begin and complete the work and be completely provided with the necessary equipment to begin the electric light and power service in the municipality concerned. The Public Service Commission shall order the return of the deposit herein required to the grantee upon the completion of the work for the electric supply service in accordance with the terms and conditions of the certificate obtained."

SEC. 5. Section eleven of Act Numbered Twenty-nine hundred and eighty-three as amended, is hereby amended to read as follows:

"SEC. 11. This franchise is granted with the understanding and upon the condition that it shall be subject to the amendment, alteration, or repeal by the Congress of the United States as provided in section twenty-eight of the Act of Congress approved August twenty-ninth, nineteen hundred and sixteen, entitled 'An Act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those Islands' and that it shall be subject, in all respect, to the limitations upon corporations and the granting of franchises contained in said Act of Congress and that all lands, or rights shall revert upon its termination to the insular, provincial, or municipal governments which were the owners thereof."

SEC. 6. In the event that House Bill Numbered Twenty-seven hundred and thirteen, entitled "An Act prescribing the form for bills for the granting of electric light and power franchises, and for other purposes" shall become a law, the franchise herein granted shall be considered amended so as to conform in each and every detail to the form prescribed in said Bill.

SEC. 7. This Act shall take effect on its approval.

Approved. December 7, 1929.

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