

AN ACT GRANTING ANTONIO H. VITERBO, JR., GEORGE H. VITERBO, HERNANDEZ H. VITERBO, VICTORIA H. VITERBO PEREZ AND GABRIEL H. VITERBO, AS HEIRS OF MILAGROS HERNANDEZ VITERBO, AND E...

REPUBLIC ACT NO. 4535, June 19, 1965

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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 provisions of the Constitution and to the terms and conditions established in Act Numbered Thirty-six hundred thirty-six, as amended by Commonwealth Act Numbered One hundred thirty-two, there is granted jointly to Antonio H. Viterbo, Jr., George H. Viterbo, Hernandez H. Viterbo, Victoria H. Viterbo Perez and Gabriel H. Viterbo, as heirs of Milagros Hernandez Viterbo, and Evangeline A. Hernandez, Milagros A. Hernandez, Cristina A. Hernandez, Jose A. Hernandez and Corazon Abalo Vda. de Hernandez, as heirs of Gabriel K. Hernandez, their assigns or successors in interest, for a period of twenty-five years from 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 City of Roxas.

The grantees shall further have the right and privilege to install, lay and maintain on all streets, public thoroughfares, bridges and public places within said city, poles, wires, transformers, capacitors, overhead protective devices, and pole line hardware necessary for the safe distribution of electric current to the public.

SEC. 2. In the event that the grantee shall purchase and secure electric heat and power from the National Power Corporation, the latter is hereby authorized to negotiate and transact for the benefit and in behalf of the public consumers with reference to rates.

SEC. 3. The rates for the sale of electric light, heat and power shall always be subject to regulation by the Public Service Commission.

SEC. 4. In consideration of the franchise and rights hereby granted, the grantees shall pay into the Internal Revenue Office in the City of Roxas a tax equal to two per centum of the gross receipts from electric current sold or supplied under this franchise. Said tax shall be in lieu of any and all taxes, duties, fees, charges and/or licenses of any kind, nature or description, levied, established, or collected by any authority whatsoever, city or municipal, provincial, or national, now or in the future, on structures and realty, poles, wires, insulators, switches, transformers, conductors, installations and accessories placed over and under all public and private properties, including public streets and highways, city, provincial or national roads, bridges and public squares, and, any provision of law to the contrary notwithstanding, on the franchise, rights, privileges, receipts, revenues and profits from, which the grantees are hereby expressly exempted; and effective further from the date the original franchise was granted under Act Numbered Two thousand eight hundred and forty- two, no tax, duty, fee, charge and/or license other than the franchise tax of two per centum of the gross receipts as provided for in the original franchise and hereinabove, shall be collected.

SEC. 5. It is expressly provided that in the event the Government should desire to maintain and operate for itself the system and enterprise herein authorized, the grantees shall surrender their franchise and turn over to the Government all serviceable equipment therein, at cost, less reasonable depreciation.

SEC. 6. Upon approval of this Act, the franchise granted under Act Numbered Two thousand eight hundred forty-two shall terminate and this franchise shall take its place.

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

Approved, June 19, 1965.

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