

AN ACT GRANTING CESAR T. ROSALES A FRANCHISE TO INSTALL, MAINTAIN AND OPERATE AN ELECTRIC LIGHT, HEAT AND POWER SYSTEM, AND AN ICE PLANT AND COLD STORAGE IN THE MUNICIPALITY OF ...

REPUBLIC ACT NO. 3760, June 22, 1963

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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 Act Numbered Thirty-six hundred and thirty-six, as amended by Commonwealth Act Numbered One hundred and thirty-two, and to the provisions of the Constitution, there is granted to Cesar T. Rosales, herein after called the grantee, for a period of fifty years from the approval of this Act, the right, privilege and authority to install, maintain and operate electric light, heat and power system, and an ice plant and cold storage in the Municipality of Malunay, Province of Quezon, and to sell and distribute electric light, heat and power and supply cold storage therein; and to sell and distribute ice in the adjoining municipalities, namely: Pitogo, Macalelon, General Luna Catanaun, Aurora, San Andres, San Narciso, Buenavista and Guinayangan, all in the same province, and to charge and collect a schedule of prices and rates for the electric light, heat, power, ice and cold storage so furnish, which schedule of prices and rates shall at all times be subject to regulation by the Public Service Commission

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

SEC. 3. The grantee shall manufacture ice and supply cold storage up to the limit of the capacity of his plant.

SEC. 4. All the apparatus and appurtenances to be used by the grantee shall be modern, safe and first class in every respect and the grantee shall, whenever the Public Service Commission shall determine that public interest reasonably requires it, change or alter any of his apparatus and appurtenances at grantee's expense.

SEC. 5. if the grantee shall not commence the manufacture and distribution of ice and/or supply cold storage within three 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. 6. This franchise is granted subject to the provisions of the Constitution and Commonwealth Act Numbered One hundred forty-six, as amended, only with respect to the fixing of rates and with the understanding, and upon the condition that it shall be subject to amendment, alteration or repeal by the Congress of the Philippines when public interest so requires.

SEC. 7. In consideration of the franchise and rights hereby granted, the grantee shall pay to the municipal treasurer of the municipality in which he is supplying electric current and ice to the public under this franchise a tax equal to two per centum of the gross earnings from electric current and ice sold and/or cold storage supplied

under this franchise in said municipality. Said tax shall be due and payable quarterly and shall be in lieu of any and all taxes of any kind, nature or description levied, established, or collected by any authority whatsoever, municipal provincial or national, now or in the future, on his poles wires, insulators, switches, transformers and structures installations, conductors, and accessories, placed in and over and under all public property, including public streets and highways, provincial roads, bridges and public squares, and on his franchise, rights, privileges, receipts, revenues and profits, from which taxes the grantee is hereby expressly exempted.

SEC. 8. In the event of any competing individual, association of persons, or corporation, receiving from the Congress of the Philippines a similar franchise in which there shall be any term or terms more favorable than those herein granted or tending to place the herein grantee at any disadvantage, then such term or terms shall ipso facto become a part of the terms hereof and shall operate equally in favor of the grantee as in the case of said competing individual, association of persons, or corporation.

SEC. 9. This Act shall take effect upon its approval.

Approved, June 22, 1963.

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