

DECREE GRANTING AN EXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM (CATV) IN THE PHILIPPINES IN FAVOR OF SINING MAKULAY, INCORPORATED.

PRESIDENTIAL DECREE NO. 1512, June 11, 1978

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WHEREAS, it is the objective of the government to help the television industry in the Philippines by improving its service and facilities;

WHEREAS, concomitant with this objective is the desire of the government to spread social benefits among its people by affording them opportunity to improve themselves through mass media and modern communication;

WHEREAS, because of the geographical location of some areas television reception in these areas is such that a community antenna television system (hereinafter referred to as CATV) is necessary, and even in urban areas, CATV has to cater to certain special TV viewership like hotels, business houses and educational institutions;

WHEREAS, because of technological advances in equipment and facilities, CATV systems have acquired a more significant role in the socio-political life of the nation, requiring the exercise of regulatory power by the national government.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. Subject to the provisions of the Constitution and the rules and regulations on radio and TV stations and communications, there is hereby granted a favor of Sining Makulay, Incorporated, hereinafter referred to as the grantee, an exclusive franchise to establish, install, operate and maintain at such place or places within the Philippines as the said grantee may select, a CATV with the authority to receive and transmit messages, impressions, pictures, music, entertainment, advertising and signals throughout the Philippines.

SEC. 2. This franchise shall continue for the period of 25 years from the date the said CATV shall be put in operation, renewable for another 25-year period.

SEC. 3. The CATV shall be constructed and operated to avoid interference with existing stations and to permit the expansion of the grantee's services.

SEC. 4. Subject to the limitations and procedure prescribed by law, the grantee is authorized to exercise the right of eminent domain insofar as may be reasonably necessary for the efficient maintenance and operation of the CATV. The grantee is authorized to install and maintain its ducts, cables, and other facilities over and across public property, including streets, highways, forest reserves and other similar property of the Government of the Philippines, its branches or any of its instrumentalities.

SEC. 5. A special right is hereby reserved to the President of the Philippines in time of war, rebellion, public peril or other national emergency and when public safety requires, to cause the closing of the grantee's CATV or to

authorize the use or possession thereof by the government without compensation to the grantee for the use of said CATV during the continuance of the national emergency.

SEC. 6. That the rates that will be charged by the grantee shall be in accordance with the following:

a.

For each subscriber connection to service one television set

P20.00/mo.

b.

For each additional television set extension in the same subscriber's private residence for use by his family, additional charge of

P 5.00/mo.

c.

Initial connection charge of

P35.00

In addition, the grantee may charge for actual cost of the following: (1) for relocation of outlets, (2) for additional work and materials for connection to subscriber's premises located at a greater distance from the feeder cable, or in the event that the distance from the center line of the street, alley or easement occupied by a feeder cable to any outlet at the subscriber's set exceeds 150 feet, and (3) for providing underground service from underground cable necessitating trenching (including back filling, repairing and/or replanting.)

SEC. 7. In consideration of this franchise, the Grantee shall pay to the Treasurer of the Government of the Philippines each year, a tax equivalent to THREE per centum (3%) of all gross receipts from business transacted under this franchise. This tax, any provision of law to the contrary notwithstanding, shall be in lieu of any and all taxes, duties and tariffs of any kind, nature or description levied or collected by any authority whatsoever, municipal, provincial or national from which taxes, duties and tariffs, the Grantee is hereby expressly exempted.

SEC. 8. The franchise herein granted shall be subject to amendment, alteration or modification, and the right to use and occupy public property and places hereby granted shall revert to the government upon termination of this franchise.

SEC. 9. The Grantee shall not lease, transfer, sell or assign this franchise, nor the rights or privileges acquired herein, to any firm, person, company or corporation without the approval of the President of the Republic of the Philippines.

SEC. 10. All acts, decrees, orders and proclamations, rules and regulations or parts thereof inconsistent with any of the provisions of this Decree are hereby repealed or modified accordingly. All franchises, permits, or certificates for the operation of CATV previously granted by local governments or by any instrumentality or agency of the national government are hereby terminated and cancelled.

SEC. 11. This Decree shall take effect upon approval.

Done in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS

President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

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