NATIONAL ADMINISTRATIVE REGISTER · DECEMBER 18, 2002

IMPLEMENTATION OF DEPARTMENT ORDER NO. 2002-29

LTFRB MEMORANDUM CIRCULAR NO. 2002-017, December 18, 2002

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Pursuant to DOTC Department Order No. 2002-29 dated 09 August 2002 directing this Board to resolve PUB CPC applications on provincial routes "that were heard and submitted for resolution but which up to now have not been resolved as their resolution was suspended when DOTC Department Order No. 2002-57 was re-imposed", the following guidelines are hereby issued for compliance:

FOR APPLICATIONS FORMALLY SUBMITTED FOR DECISION:

Under this category are applications where the applicants complied with the Board's jurisdictional requirements of publication of the notices of hearing and procedural requirements of submission of Formal Offers of Evidence.

Considering that the applicants' Formal Offers of Evidence which were submitted prior to 2002 are no longer reliable as proof of their current financial capacity, said applicants should submit their audited financial statements for the year ending December 31, 2001 which were submitted to the Bureau of Internal Revenue, on or before January 31, 2003.

Within the same period, said applicants should submit to the Board their respective lists of proposed units with their corresponding description, i.e., make, model, chassis and engine numbers supported by LTO registration papers.

FOR APPLICATIONS WITHOUT FORMAL OFFERS OF EVIDENCE

Under this category are applications where the applicants though complying with the jurisdictional requirement of publication of the Board's notices of hearing, did not submit their respective Formal Offers of Evidence, a basic requirement for the Board to judiciously resolve the application.

The applicants under this category are, therefore, directed to submit their Formal Offers of Evidence with their audited financial statements for the year ending December 31, 2001 which they submitted to the Bureau of Internal Revenue, on or before January 31, 2003.

Within the same period, said applicants should submit to the Board their respective lists of proposed units with their corresponding description, i.e. model, chassis and engine numbers supported by LTO registration papers.

BOARD'S CRITERIA IN RESOLVING APPLICATIONS

Considering that the number of units applied for by the applicants in all of these cases directed by the DOTC to be resolved are more than the Route Measured Capacity (RMC) on the routes applied for, this Board will be guided by the following criteria in granting the CPCs applied for:

- who is better financially qualified to operate the proposed bus service;

- who has the newest buses proposed for operation;

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- who has the necessary support facilities to efficiently and safely operate the buses applied for, i.e., maintenance and repair facilities and terminals or garages.

On Batangas-Manila route, to fully support the DOE's Natural Gas Vehicle Program for Public Transport and to abide by the directive of Her Excellency President Gloria Macapagal-Arroyo to open the Batangas-Manila route for CNG-fed units, CNG-fed buses will be given priority in the grant of CPCs on said route.

This Memorandum Circular takes effect immediately and repeals all previous circulars, inconsistent with it.

The Board's Legal Division is hereby directed to disseminate this Memo Circular to all applicants covered by its applicability and to post copies thereof in conspicuous places of the Board.

Adopted: 18 Dec. 2002

(SGD.) DANTE M. LANTIN
Chairman

(SGD.) FELIX S. RACADIO
Board Member

(SGD.) REMEDIOS G. BELLEZA
Board Member

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