

ALEOSAN TRANSPORTATION COMPANY, INC., PETITIONER, VS. THE PUBLIC SERVICE COMMISSION, PANAY AUTOBUS CO., AND CAPIZ MOTOR BUS CO., INC., RESPONDENTS.

G. R. No. 44523. September 30, 1936

Ponente: VILLA-REAL, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-44523/>

VILLA-REAL, J.:

This is a petition filed by the Aleosan Transportation Co., Inc., to review the decision rendered by the Public Service Commission on August 31, 1935, denying the application for a permit to increase its services on its present lines Iloilo-Leon via San Miguel, Oton or Tigmauan; Iloilo-Alimodian via San Miguel and Oton, and to extend them on the lines Iloilo-San Jose (Antique); San Jose-Capiz via Tibiao and Ibajay; Iloilo-Calinog via Zarraga or Janiway; Iloilo-Dumangas via Zarraga or Janiway; Iloilo-Estancia via Zarraga; Iloilo-Igbaras; Iloilo-Tubungan; Iloilo-Maasin; Iloilo-Lambunao; and Capiz-Estancia, all of the Island of Panay, with a thirty-minute time schedule from 5.30 a. m. to 5.30 p. m., daily, by increasing the number of trips to an interval of ten minutes if necessary.

In support of its petition, the petitioner assigns five alleged errors as committed by the respondent Public Service Commission in its decision in question, which will be discussed in the course of this decision.

The Public Service Commission, in denying said application, stated as follows:

"The Commission is not convinced from the evidence submitted that the increased services applied for by the applicant on his present lines Iloilo-Leon and Iloilo-Alimodian are necessary.

"The applicant claims that there is a great need for transportation facilities for carrying freight in the territory applied for as a result of the refusal of the Panay Autobus Co. to transport heavy freight in their trucks. The evidence submitted shows, however, that freight is not refused to be transported by the Panay Autobus Company, there being space in the trucks of said company specially reserved for freight of its passengers. If it is the applicant's intention to operate an auto-truck service devoted primarily to the transportation of freight, it should have filed with this commission an application for authority to operate TH auto-truck service instead of additional TPU services."

It is already a settled doctrine of this court, interpreting section 35 of the Public Service Act, as amended by section 1 of Act No. 3316, that this court has jurisdiction to review, modify and set aside decisions and orders of the Public Service Commission only when it clearly appears that there is no evidence to reasonably support such decisions and orders, or when the case is without the jurisdiction of the commission. (Manila Electric Company vs. Balagtas, 58 Phil. 429; Ampil vs. Public Service Commission, 59 Phil., 556; Calabia vs. Orlanes & Banaag Transportation Co., 55 Phil., 659.)

We have reviewed all the evidence of record and, although we have found contradictions and differences between that of the petitioner and that of the respondents, as the Public Service Commission, after a careful and conscientious consideration of the respective merits thereof, had arrived at the conclusion' that the public

necessity and convenience and the interests of the parties do not warrant the increase of services and the extension of lines applied for by the petitioner, it is likewise an already settled doctrine of this court not to modify said conclusions, which we find to be correct and we adopt for purposes of this decision. (Ynchausti Steamship Co. vs. Public Utility Commissioner and Board of Appeal, 44 Phil., 363; Mejica vs. Public Utility Commission, 49 Phil., 774; San Miguel Brewery vs. Lapid, 53 Phil, 539; Manila Yellow Taxicab Co. and Aero Taxicab Co. vs. Danon, 58 Phil., 75.)

For the foregoing considerations, and finding that the errors assigned by the petitioner in its brief are not well founded, the appealed decision of the Public Service Commission is affirmed, with costs to the petitioner. So ordered.

Avancena, C. J., Abad Santos, Imperial, Diaz, and Laurel, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.