

A. L. AMMEN TRANSPORTATION CO., INC., PETITIONER, VS. DANIEL RAYALA AND ENRIQUE DE LEON, RESPONDENTS.*G.R. Nos. 10371 and 10409. May 30, 1960*

Ponente: PARAS, C.J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-nos-10371/>**PARAS, C.J.:**

In G. R. No. L-10371, the respondent, holder of an emergency certificate of public convenience to operate an auto-truck service over the Oas (Albay) lines, applied to the Public Service Commission for the issuance of a regular certificate. The petitioner, a pre-war operator over the same lines, filed an opposition, alleging that, as it had already resumed its pre-war service with the acquisition of 263 units in 1952, the conditions that warranted respondent's emergency certificate no longer existed. After hearing, the Commission granted the application. The petitioner has appealed.

The evidence for the respondent tends to show that, in the territory covered by the lines in question, there are market days throughout the week during which traffic is always heavy and buses filled with passengers and freight; that there are many students from different towns going to schools and colleges in the morning and returning home in the afternoon; that there are now more commercial and industrial activities in Albay and Camarines Sur; and during harvest season in Camarines Sur, laborers from Albay migrate thereto; that the increased population of the province necessitates the operation of more transportation facilities.

The petitioner, through the testimony of its Assistant Traffic Manager, alleges that the respondent has not been profiting from his transportation business, as shown by a certification of the municipal treasurer of Oas, and that the petitioner has already completed its pre-war equipment of 263 units.

The emergency certificate sought by the respondents to be made regular and permanent provides that "considering the service applied for in this case is authorized during a state of emergency, the Commission hereby reserves the right to alter or modify the conditions herein enumerated or to impose additional conditions in order to adjust applicant's operation to changing conditions and to eventual resumption of operation and under normal conditions."

We cannot sustain petitioner's contention that respondent's emergency certificate is thus subject to the condition that it expires upon petitioner's resumption of its pre-war operations. Petitioner's acquisition of 263 units cannot be deemed as solely contemplated by "changing conditions and to eventual resumption of operation and under normal conditions." The changes brought about by the last world war, the complications of rehabilitation, the economic and industrial strides, the increase in population, the intensified agricultural programs, and men's inspiring interest in education, are a few other factors properly to be considered by the Commission in determining whether or not respondent's applications should be granted.

The foregoing considerations more or less apply to G. R. No. L-10409, wherein the respondent, holder of a five-year certificate of public convenience to operate an auto-truck service over the lines Daet-Mambulao, Daet, Basud, Daet-San Vicente, Daet-Paracale, Daet-Vinzons and Daet-Mercedes, all in the province of Camarines

Norte, applied for a renewal of said certificate for another five years. The petitioner, as in G.R. No. L-10371, filed an opposition, on the ground that it is already rendering complete, efficient, adequate and satisfactory service on the same lines. The Public Service Commission, after considering each party's evidence, granted the application, and the petitioner has appealed.

It appears that, in respondent's authorized lines, merchants make daily trips to and from Daet to bring their products and transact their business; that in one of the lines (Mercedes) transportation facilities are urgently needed, because it is a fishing district and the products therefrom have to be brought to Daet without delay; that, in Panganiban, mines are undergoing operations and means of transportation have to be available, to carry the laborers going to work and to supply the requirements of the mining operations.

The appealed decisions are therefore hereby affirmed with costs against the petitioner. So ordered.

Bengzon, Padilla, Bautista, Angelo, Labrador, Concepcion, Barrera, and Gutierrez David, 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.