

[REPUBLIC ACT NO. 11204, February 14, 2019]

AN ACT EXTENDING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO ERMITA ELECTRONICS INCORPORATED, PRESENTLY KNOWN AS G. TELECOMS, INC., AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8196, ENTITLED "AN ACT GRANTING THE ERMITA ELECTRONICS, INCORPORATED, A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, MAINTAIN AND OPERATE RADIO COMMUNICATIONS SYSTEMS IN THE PHILIPPINES"

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 1 of Republic Act No. 8196 is hereby amended to read as follows:

"SECTION 1. *Nature and Scope of Franchise.* - Subject to the provisions of the Constitution and applicable laws, rules and regulations on public telecommunications, the franchise granted to Ermita Electronics, Incorporated, presently known as G. Telecoms, Inc., hereunder referred to as the grantee, its successors or assignees under Republic Act No. 8196, to construct, establish, install, maintain, and operate for commercial purposes and in the public interest, in the Philippines and between the Philippines and other countries and territories, wire and/or wireless telecommunications systems including international and local exchange carrier (LEC), international and domestic gateway facility, international and domestic submarine cable landing stations, mobile cellular, copper switches, and their value-added services such as the transmission of voice, data, facsimile, control signs, audio and video, information services, and all other telecommunications systems technologies as are at present available or will be made available through technological advances or innovations in the future; and/or construct, acquire, lease and operate, or manage transmitting and receiving stations, lines, cables, or systems as are convenient or essential to efficiently carry out the purpose of this franchise is hereby extended for another twenty-five (25) years from the effectivity of this Act."

SEC. 2. A new section is hereby inserted after Section 3 of Republic Act No. 8196 to read as follows:

"SEC. 4. *Excavation and Restoration Works.* - For the purpose of erecting and maintaining poles and other supports for wires or other conductors and for the purpose of laying and maintaining underground wires, cables, pipes or other conductors, the grantee, its successors or assignees, is authorized to make excavations or lay conduits in any of the public places, roads, highways, streets, lanes, alleys, avenues, sidewalks, or

bridges of the province, cities, and/or municipalities subject to the prior approval of the Department of Public Works and Highways (DPWH) and/or the local government unit (LGU) concerned, as may be appropriate: *Provided, however,* That a public place, road, highway, street, lane, alley, avenue, sidewalk, or bridge disturbed, altered or changed by reason of erection of poles or other supports or the underground laying of wires, other conductors or conduits shall be repaired and replaced in workmanlike manner at the expense of the said grantee, its successors or assignees, in accordance with the standards set by the DPWH or the LGU concerned. Should the grantee, its successors or assignees, after the ten (10)-day notice from the said authority, fail, refuse, or neglect to repair or replace any part of public place, road, highway, street, lane, alley, avenue, sidewalk, or bridge disturbed, altered or changed by the said grantee, its successors or assignees, then the DPWH or the LGU concerned shall have the right to have the same repaired and placed in good order and condition, and charge the grantee, its successors or assignees, at double the amount of the costs and expenses for such repair or replacement."

SEC. 3. All sections are to be renumbered accordingly.

SEC. 4. Section 7 of Republic Act No. 8196 is hereby amended to read as follows:

"SEC. 8. *Term of Franchise.* - This franchise shall be for a term of twenty-five (25) years from the date of effectivity of this Act, unless sooner revoked or cancelled. This franchise shall be deemed *ipso facto* revoked, in the event the grantee fails to operate continuously for two (2) years."

SEC. 5. Section 8 of Republic Act No. 8196 is hereby amended to read as follows:

"SEC. 9. *Acceptance of Franchise.* - Acceptance of the terms of this franchise shall be given in writing to the Congress of the Philippines, through the Committee on Legislative Franchises of the House of Representatives and the Committee on Public Services of the Senate, within sixty (60) days from the effectivity of this Act. Upon giving such acceptance, the grantee shall exercise the privileges granted under this Act. Nonacceptance shall render the franchise void."

SEC. 6. Section 10 of Republic Act No. 8196 is hereby repealed.

SEC. 7. A new section is hereby inserted after Section 8 of Republic Act No. 8196 to read as follows:

"SEC. 11. *Right of Interconnection.* - The grantee is hereby authorized to connect or demand connection of its telecommunications systems to other telecommunications systems installed, operated, and maintained by any other duly authorized person or entity in the Philippines for the purpose of providing extended and improved telecommunications services to the public, under the terms and conditions mutually agreed upon by the parties concerned. This right shall be subject to the review and modification of the NTC."

SEC. 8. Section 14 of Republic Act No. 8196 is hereby amended to read as follows: