

**[ REPUBLIC ACT NO. 6030, August 04, 1969 ]**

**AN ACT GRANTING THE PILIPINO TELEPHONE CORPORATION A FRANCHISE TO INSTALL, OPERATE AND MAINTAIN TELEPHONE SYSTEMS IN AND BETWEEN THE PROVINCES, CITIES AND MUNICIPALITIES IN THE BICOL PROVINCES AND MINDANAO.**

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

SECTION 1. Subject to the conditions established in this Act and the provisions of Commonwealth Act Numbered One hundred and forty-six, as amended, and of the Constitution, applicable thereto, there is hereby granted to the Pilipino Telephone Corporation, hereinafter called the grantee, its successors or assigns, for a period of twenty-five years from the approval of this Act, the right, privilege, and authority to construct, maintain and operate telephone systems in the Municipality of Puerto Princesa, Province of Palawan; Municipality of Masbate, Province of Masbate; Municipality of Pili; Province of Camarines Sur; Municipality of Jolo, Province of Sulu; Municipality of Aparri, Province of Cagayan; Municipality of Pagadian, Province of Zamboanga del Sur; and in and between the provinces, cities and municipalities in the Bicol Provinces and Mindanao, it being understood that the grantee is authorized to construct, operate and maintain such exchanges and branch tributary lines within the provinces, cities and municipalities traversed to connect with the main systems, as public interest may warrant. The grantee is authorized to carry on the business of the electrical transmission of messages and signals in and between the said provinces, cities and municipalities, and connect such systems within the Philippines to the telephone systems of other countries, and for the purpose of operating said telephone systems and transmitting messages and signals by means of electricity, to construct, maintain and operate and use all apparatus, conduits, appliances, receivers, transmitters, antennas, and equipment necessary for the electrical transmission of messages and signals, and to erect poles, structures, string wires, build conduits, lay cables, and to construct, maintain and use such other approved and generally accepted means of electrical conduction in, on, over, or under the public roads, government rights-of-way, lands, bridges, rivers, waters, streets, lanes and sidewalks of said provinces, cities, and municipalities, and overhead or underground or submarine lines or on the surface of the ground, as may be necessary and best adapted to said transmission: *Provided, however,* That all cables laid, all poles erected and all conduits constructed or used by the grantee, its successors or assigns, shall be located in places designated by said grantee with the approval of the provincial or municipal board or council of the province, city or municipality concerned, and poles shall be erected in a workmanlike manner to the satisfaction of the said body: *Provided, further,* That the poles erected, wires and cables strung or conduits laid by virtue of this franchise shall be so placed as not to impair the efficient and effective transmission of messages and signals by any other

company whose poles are erected, whose wires and cables are strung, or whose conduits are actually laid at the time that the poles are to be erected, wires and cables strung and conduits laid under and by virtue of this franchise: and *Provided, finally*, That poles erected by the grantee shall be of such a height of at least ten feet above the level of the ground providing a height of at least fifteen feet in crossing roads or streets, and shall be so placed as not to be a danger to public safety, in accordance with a plan approved by the Secretary of Public Works and Communications.

SEC. 2. Whenever any person has obtained permission to use any of the streets of the province, city or municipality concerned for the purpose of removing any building or in the prosecution of any municipal work or for any other cause whatsoever, making it necessary to raise or remove any of said wires or conduits which may obstruct or hinder the prosecution of said work, the said grantee, upon notice by the provincial or municipal board or council of the province, city or municipality concerned served upon said grantee at least forty-eight hours in advance, shall raise or remove any of said wires or conduits which may hinder the prosecution of such work or obstruct the removal of said building, so as to allow the free and unobstructed passage of said building and the free and unobstructed prosecution of said work, and the person or entity at whose request the wires or poles or other structures have been removed, shall pay one-half of the actual cost of replacing the poles or raising the wires and other conductors or structures. The notice shall be in the form of a resolution duly adopted by the provincial or municipal board or council of the province, city or municipality concerned served upon the grantee or its duly authorized representatives or agents by a person competent to testify as a witness in a civil action, and in case of refusal or failure of the grantee to comply with such notice, the city mayor, or municipal mayor with the proper approval of the provincial board first had, as the case may be, shall order such wires or conduits or other structures to be raised or removed at the expense of the grantee, for the purposes aforesaid.

SEC. 3. The grantee may install, maintain and operate radiotelephone equipment to furnish an economical medium of telephonic communications in and between said provinces, cities and municipalities in the Philippines and between the Philippine telephone systems and those of other countries; *Provided*, That the location, installation or operation of such radio-telephone equipment must be previously approved by the President of the Philippines upon the recommendation of the Secretary of Public Works and Communications: *Provided, further*, That the Secretary of Public Works and Communications shall have the authority to supervise and regulate the installation or operation of such radio-telephone equipment. The privilege to install, maintain and operate radio-telephone equipment shall not be construed to authorize the broadcasting of any commercial message, or the transmission of any message for hire by radio-graphic equipment or the transmission of radio-telegraphic messages for hire.

SEC. 4. The grantee shall supply telephone service in said provinces, cities and municipalities where it may have established a local telephone exchange to any applicant for the same within thirty days after the date of his application, and as between such applicant and other like applicants, in the order of the date of their applications, up to the limit of the capacity of the telephone system of said grantee, to be determined by the Public Service Commission on the application of such grantee and should the demand for telephone service at any time increase beyond

the capacity of the telephone system of said grantee to supply the same, the capacity of said telephone system shall be increased to meet such demand, in accordance with the decision of the Public Service Commission or its legal successor: *Provided*, That in case the point at which the telephone service is to be supplied is more than fifty meters from the local exchange lines operated by said grantee, the latter shall not be obliged to furnish said service, unless the applicant for telephone service defrays the actual expenses for the poles and wires and installation thereof necessary for such service and in such case the Public Service Commission may extend the time within which the grantee must furnish such service beyond the said period of thirty days.

SEC. 5. For the purpose of erecting and maintaining poles or other supports for such wires or other conductors or for the purpose of laying and maintaining underground said wires, cables or other conductors, it shall be lawful for the grantee, its successors or assigns, to make excavations or lay conduits in any of the public places, highways, streets, lanes, alleys, avenues, sidewalks, or bridges in said provinces, cities and municipalities: *Provided, however*, That any public place, highway, street, lane, alley, avenue, sidewalk or bridge disturbed, altered or changed by reason of the erection of poles, or other supports, or the laying of underground of wires or other conductors, or of conduits, shall be repaired and replaced in a workmanlike manner by said grantee, its successors or assigns, to the satisfaction of the Secretary of Public Works and Communications. Should the grantee, its successors or assigns, after ten days notice from said authority, fail, refuse or neglect to replace any part of a public place, road, highway, street, lane, alley, avenue, sidewalk or bridge altered, changed or disturbed by said grantee, its successors or assigns, then the Secretary of Public Works and Communications shall have the right to have the same repaired and placed in good order and condition at the cost and expense of the grantee, its successors or assigns.

SEC. 6. All telephone lines and systems for the transmission of messages and signals owned, maintained, or operated by the grantee, its successors or assigns, shall be operated and maintained at all times in a satisfactory manner, so as to render an efficient and elective telephone service. It shall be the further duty of said grantee, its successors or assigns, whenever required to do so by the Public Service Commission, to modify, improve, and change such telephone system or systems, for the transmission of messages and signals by means of electricity in such manner and to such extent as the progress of science, and improvements in the method of electrical transmission of messages and signals may make reasonable and proper.

SEC. 7. The grantee, its successors or assigns, shall keep a separate account of the gross receipts of its telephone and electrical transmission business and shall furnish the Auditor General and the Treasurer of the Philippines a copy each of such account not later than the thirty-first day of July of each year for the twelve months preceding the first day of July.

SEC. 8. In consideration of this franchise the grantee shall pay a tax equivalent to five per cent of its gross income.

SEC. 9. The grantee shall not begin any construction whatever, pursuant to this franchise without first obtaining a Certificate of Public Convenience and Necessity from the Public Service Commission, of the form and character provided for in Commonwealth Act Numbered One hundred and forty-six, as amended, specifically