

[**REPUBLIC ACT NO. 5078, June 17, 1967**]

**AN ACT GRANTING JOSE O. MARTINEZ A FRANCHISE TO
INSTALL, OPERATE AND MAINTAIN AN ELECTRIC LIGHT, HEAT
AND POWER SYSTEM IN THE MUNICIPALITY OF MALANGAS,
PROVINCE OF ZAMBOANGA DEL SUR.**

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

SECTION 1. Subject to the provisions of the Constitution and the terms and conditions established in Act Numbered Thirty-six hundred and thirty-six, as amended by Commonwealth Act Numbered One hundred and thirty-two, there is granted to Jose O. Martinez, for a period of twenty-five years from the approval of this Act, the right, privilege and authority to construct, operate and maintain an electric light, heat and power system for the purpose of generating and distributing electric light, heat and/or power for sale within the Municipality of Malangas, Province of Zamboanga del Sur.

The grantee shall further have the right and privilege to install, lay and maintain on all streets, public thoroughfares, bridges and public places and within said limits, wires, transformers, capacitors, overhead protective devices, and pole line hardware, and other equipment necessary for the safe distribution of electric current to the public.

SEC. 2. In the event that the grantee shall purchase and secure electric heat and power from the National Power Corporation, the latter is hereby authorized to negotiate and transact for the benefit of the consumers with reference to rates subject to the approval of the Public Service Commission.

SEC. 3. In consideration of the franchise and rights hereby granted, the grantee shall pay a franchise tax equal to five *per centum* of the gross earnings under this franchise, three *per centum* of which shall accrue to the National Government and two *per centum* to the municipality where the franchise is being operated.

SEC. 4. It is expressly provided that in the event the Government should desire to maintain and operate for itself the system and enterprise herein authorized, the grantee shall surrender his franchise and will turn over to the Government all serviceable equipment therein, at fair market value, less reasonable depreciation.

SEC. 5. This Act shall take effect upon its approval.

Enacted without Executive approval, June 17, 1967.
