

[REPUBLIC ACT NO. 4519, June 19, 1965]

AN ACT GRANTING ERNESTO Malferrari A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN AN ICE PLANT AND COLD STORAGE IN THE CITY OF CAGAYAN DE ORO, AND TO SELL ICE AND SUPPLY COLD STORAGE WITHIN THE CITY OF CAGAYAN DE ORO AND IN THE MUNICIPALITIES OF VILLANUEVA, CLAVERIA, JASAAN, MOLUGAN, TAGOLOAN, EL SALVADOR AND ALUBIJID, ALL IN THE PROVINCE OF MISAMIS ORIENTAL.

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

SECTION 1. Subject to the terms and conditions established in this Act and in Commonwealth Act Numbered One hundred forty-six, as amended, and to the provisions of the Constitution, there is granted to Ernesto Malferrari for a period of twenty-five years from the approval of this Act, the right, privilege and authority to construct, maintain and operate an ice plant and cold storage in the City of Cagayan de Oro, for the purpose of manufacturing ice for distribution and sale, for supplying cold storage in the City of Cagayan de Oro and in the municipalities of Villanueva, Claveria, Jasaan, Molugan, Tagoloan, El Salvador and Alubijid, all in the Province of Misamis Oriental and to charge and collect a schedule of prices and rates therefor which schedule shall at all times be subject to regulation by the Public Service Commission or its legal successor.

SEC. 2. The grantee shall manufacture and supply ice up to the limit of the capacity of his plant, said limit to be determined by the Public Service Commission, and sell the same at rates to be determined by the said Commission.

SEC. 3. All the apparatus and appurtenances to be used by the grantee shall be modern, safe and first class in every respect, and the grantee shall, whenever the Public Service Commission shall determine that public interest reasonably requires it, change or alter any of its apparatus and appurtenances at grantee's expense.

SEC. 4. If the grantee shall not commence the construction of at least one ice plant and cold storage within two years from the approval of this Act, unless prevented by an act of God or *force majeure*, martial law, riot, civil commotion, usurpation by a military power or any other cause beyond the grantee's control, this franchise shall become null and void.

SEC. 5. This franchise is granted with the understanding and upon the condition that it shall be subject to amendment, alteration, or repeal by the Congress of the Philippines when public interest so requires.

SEC. 6. The books, records and accounts of the grantee shall always be open to inspection by the city treasurer or his authorized representatives, and it shall be the