

[REPUBLIC ACT NO. 4539, June 19, 1965]

AN ACT GRANTING RAMON ENCARNACION OF VIGAN, ILOCOS SUR A FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE AN ICE PLANT AND COLD STORAGE IN THE PROVINCE OF ILOCOS SUR, AND TO, SELL ICE THEREIN.

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

SECTION 1. Subject to the conditions imposed by this Act, there is granted to Ramon Encarnacion of Vigan, Ilocos Sur, hereinafter referred to as the grantee, his successors or assigns, for a period of twenty-five years from the approval of this Act, a franchise to construct, operate and maintain an ice plant and cold storage in the Province of Ilocos Sur for the purpose of manufacturing and distributing ice therein and to charge a schedule of prices and rates for the ice so furnished, which schedule of prices and rates shall at all times be subject to regulation by the Public Service Commission,

SEC. 2. The grantee shall manufacture and supply ice up to the limit of the capacity of the plant.

SEC. 3. All 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 his plant's apparatus and appurtenances at grantee's expense.

SEC. 4. If the grantee shall not commence the manufacture and distribution of ice in the aforesated province within three years from the approval of this Act, unless prevented by 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 subject to the provisions of Commonwealth Act Numbered One hundred and forty-six, as amended, only with respect to the fixing of rates, and 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. 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.