

## [ Act No. 3142, March 06, 1924 ]

### **AN ACT GRANTING TO THE MUNICIPALITY OF MARIQUINA, PROVINCE OF RIZAL, PHILIPPINE ISLANDS, A FRANCHISE TO INSTALL, OPERATE, AND MAINTAIN AN ELECTRIC LIGHT, HEAT, AND POWER SYSTEM**

*Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:*

SECTION 1. Subject to the conditions established in this Act and the provisions of Act Numbered Thirty-one hundred and eight applicable thereto, there is hereby granted to the municipality of Mariquina, Province of Rizal, Philippine Islands for a period of fifty years from the approval of this Act, the right, privilege, and authority to construct, maintain, and operate an electric light, heat, and power system, for the purpose of generating and distributing electric light, heat, and power for sale within the limits of the municipality of Mariquina, Province of Rizal. The grantee shall also have the right and privilege to install, lay, and maintain on all the streets, public thoroughfares, bridges, and public places within said limits, poles, conductors, interrupters, transformers, cables, wires, and other overhead appliances, and all other necessary apparatus and appurtenances for the furnishing and distribution of electric current, and to supply, sell, and furnish such current to any person, corporation public or private concern within said limits for municipal, domestic or manufacturing uses and for any other use to which electricity may be put, and to charge and collect a schedule of prices for the use of same: *Provided*, That this franchise shall not take effect until the grantee shall have obtained from the Public Utility Commission a certificate showing the public necessity and convenience of the same, in accordance with the purpose of subsection of section fifteen of Act Numbered Thirty-one hundred and eight, and shall have filed such certificate with the Secretary of Commerce and Communications upon accepting this franchise: *And provided, further*, That if the grantee does not file the proper application for said certificate with the Public Utility Commission within three months from the date of the approval of this Act, this franchise shall become null and void.

SEC. 2. The concession of the right, privilege, and authority mentioned in the preceding section shall not take effect unless the grantee shall accept in writing and make part of this concession the following condition, to wit:

"That the grantee state in writing that it is informed of the message of the President of the United States addressed to the Filipino people and communicated to said people by the Governor-General of the Philippine Islands on the sixth day of October, nineteen hundred-and-thirteen, and of the reply message of the Philippine Assembly made in the name of the Filipino people and approved, and sent on October sixteenth, nineteen hundred and thirteen; that said grantee binds itself not to engage in or aid, by means of contribution in cash or otherwise, any propaganda directed against the policy of the Government of the United States outlined in such message of the President and the aspirations of the Filipino people set forth in said reply message of the Philippine

Assembly, whether under the pretext of vested interests or under any other pretext, and that said grantee shall further bind itself to exact a similar engagement from its administrators, agents, successors, and assigns."

SEC. 3. The poles erected by the grantee shall be of such a height as to maintain the wires stretched on the same at a distance of at least twenty feet above the level of the ground, and shall be of such appearance as not to disfigure the streets, and shall be placed with due regard for the public safety so as not to be a danger for the same, in accordance with a plan approved by the provincial authorities, represented by the provincial governor, and said grantee shall supply electric power, heat, and light to any applicant for the same, within fifteen days after: the date of his application, and as between such applicant and other like applicants, in the order of the date of his application, up to the limit of the capacity of the plant of said grantee, to be determined by the electrical engineer of the Public Utility Commission on the application of said grantee, and should the demand for electric power, heat, and light at any time increase beyond the capacity of the plant of said grantee to supply the same, the capacity of said plant shall be increased by said grantee to meet such demand, in accordance with the decision of the Public Utility Commission or its lawful successor: *Provided*, however, That in case the point at which the electric light, heat or power is to be supplied, is more than thirty meters from the lines or wires operated by said grantee, the latter shall not be obliged to furnish said service

SEC. 4. All apparatus and appurtenances used by the grantee shall be modern and first class in every respect, and the electrical transmission wires shall be insulated and carefully connected and fastened so as not to come in direct contact with any object through which a "ground" could be formed, and shall be stretched so as not to interfere with the free use of said streets and public thoroughfares, nor cause any injury to the public, danger of fire, or damage and inconvenience to the owners of property: *Provided*, That in the maintenance and operation of their plant and system for the transmission and distribution of electric current, the grantee shall always be subject to such reasonable regulations as the provincial board of Rizal may promulgate in the premises, and also to the regulations prescribed by the National Electrical Code of America: *Provided*, further, That the grantee shall, whenever the Philippine Legislature upon recommendation of the Public Utility Commission or its legal successor, so direct, place said wires in underground pipes or conduits at its own expense.

SEC. 5. Whenever it shall be necessary in the erection of said poles to take up any portion of the sidewalks or dig up the ground of the public streets or thoroughfares, then the said grantee shall, after said poles are erected, without delay replace said sidewalks and repair said public streets or thoroughfares in the proper manner, removing from the same all rubbish, dirt, refuse, or other material which may have been placed there, taken up or dug up in the erection of said poles, leaving them in as good condition as they were before the work was done; and whenever it shall become necessary, by reason of the extension of roads determined upon by the provincial board of Rizal, or by reason of the extension of streets or plazas determined upon by said municipal council of Mariquina, to change the location of said poles, such change shall be made by the grantee, its successors or assigns, at their expense, without delay, where directed by said