

[LTFRB MEMORANDUM CIRCULAR NUMBER 2011-015, December 13, 2011]

GUIDELINES FOR PENDING UV EXPRESS TRANSPORT SERVICE APPLICATIONS FOR CONVERSION AND LEGALIZATION

SUBJECT GUIDELINES FOR PENDING UV EXPRESS TRANSPORT SERVICE
: APPLICATIONS FOR CONVERSION AND LEGALIZATION

In the interest of public service and in order to prevent the commercialization of CPCs, the Board, in the exercise of its power pursuant to Section 5 of Executive Order No. 202, hereby issues this Memorandum Circular which shall serve as basis and guide for processing of all pending UV Express Applications (under the previous Conversion and Legalization Programs):

1. Coverage:

- a. This Memorandum Circular covers all pending applications for UV Express under the conversion and legalization program.
- b. **Only the original applicants shall be allowed to pursue the pending applications.** There should be no pending application for Sale and Transfer.
- c. Applicants must have paid at least the first (1st) installment. Those who have paid only the filing fee of P520.00 are not covered by this Circular.
- d. Only those **with approved Route Measured Capacity (RMC)** shall be allowed to pursue their applications.
 - i. For the Central Office and the National Capital Region, the routes shall be in accordance with the rationalized routes provided by the DOTC.
 - ii. For other Regions, the original approved RMC shall be used as basis for processing the application.
- e. Applications **without RMC shall be dismissed** without prejudice to the subsequent re-filing by the applicant once an RMC has been secured from the DOTC. Payments previously made may be refunded upon request of the applicant and subject to existing government accounting and auditing procedures.

2. Processing:

- a. All applications pending before the Central Office and the National Capital Region shall be processed by the UV Secretariat. For Regional Offices, there shall be personnel purposely designated to handle processing of UV

Express applications.

- b. Applicants whose applications are covered by this Memorandum Circular shall file with the UV Secretariat/Regional Office a **Letter of Intent** to pursue the application not later than **January 31, 2012**. No Motion for Extension of Time to File (or similar dilatory motions/ petitions) shall be entertained. **Only those who filed their Letter of Intent shall be processed on a first come, first served basis (according to the date of filing of the Letter of Intent. Those who fail to file a Letter of Intent by the above date shall be dismissed with finality.**
- c. Upon filing of the Letter of Intent, the application shall be set for hearing.
- d. Prior to the scheduled hearing, applicant shall pay all outstanding balance relative to the application and shall present the official receipt showing full payment as part of the formal offer of evidence. **Failure to pay the full amount before the scheduled hearing shall cause the dismissal of the application with finality.**
- e. On the scheduled hearing, **applicant should appear personally** to present all required documents in support of the petition. **No motion for issuance of another Notice of Hearing shall be allowed/entertained. No motion for resetting of hearing shall likewise be allowed.**
- f. After due notice and hearing, all applications shall be processed according to existing rules and policies for the granting of Certificate of Public Convenience (CPC). If warranted, the corresponding decision shall be issued.

3. Routes

- a. For Central Office and NCR, assignment of routes for applications under this MC shall be based on the rationalized route provided by the DOTC.
- b. For Regional Offices, the route shall be based on the approved RMC Availability Certification.

4. Year Model of Authorized Unit:

- a. Units covered by the initial application should not be more than thirteen (13) years old as of January 31, 2012 (deadline for submission of Letter of Intent).
- b. For purposes of determining the year model, the date of first registration with the LTO shall be considered.
- c. In case the unit is more than 13 years old, applicant (for the initial application) is given one (1) year from the date of release of Decision within which to substitute authorized unit with a later model.