

[ **REPUBLIC ACT NO. 5795, June 21, 1969** ]

**AN ACT GRANTING ELPIDEFORO CUNA, JR. A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN ICE PLANTS AND COLD STORAGE, TO DISTRIBUTE AND SELL ICE SO MANUFACTURED AND FURNISH COLD STORAGE IN THE CITIES OF PASAY, CALOOCAN, QUEZON AND MANILA AND IN PARAÑAQUE IN THE PROVINCE OF RIZAL.**

*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 hereby granted to Elpideforo Cuna, Jr., his successors or assigns, for a period of twenty-five years after the approval of this Act, the right, privilege and authority to construct, operate and maintain ice plants and cold storage in the cities of Pasay, Caloocan, Manila, and Quezon and in Paranaque in the Province of Rizal, for the purpose of manufacturing ice and furnishing cold storage, and to sell and distribute the ice so manufactured and render cold storage service and facilities in the said places, and to collect a schedule of rates, prices and charges for the ice so manufactured, distributed and sold, and for the cold storage service furnished which schedule of rates, prices and charges shall at all times be subject to regulation by the Public Service Commission.

SEC. 2. The grantee shall install and maintain an ice plant and cold storage in any of the places enumerated in Section one hereof: *Provided, however,* That the total daily production capacity of all the ice plants so installed and maintained shall not exceed such quantity as may be determined by the Public Service Commission.

SEC. 3. All the machinery, equipment and appurtenances to be used by the grantee shall be modern, safe and first class in every respect.

SEC. 4. If the grantee shall not commence the manufacture of ice within five 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 subject to the provisions of Commonwealth Act Numbered One hundred 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. The grantee shall be liable to pay the same taxes, unless exempted therefrom, on his business, real estate, buildings, and personal property, exclusive of this franchise, as other persons or corporations are now or hereafter may be required by law to pay.