

[REPUBLIC ACT NO. 6097, August 04, 1969]

**AN ACT GRANTING ENRIQUE M. REYES A FRANCHISE TO
INSTALL, MAINTAIN AND OPERATE A TELEPHONE SYSTEM IN
THE PROVINCE OF DAVAO DEL SUR.**

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

SECTION 1. Subject to the conditions established in this Act and the provisions of Commonwealth Act Numbered One hundred and forty-six, as amended, and of the Constitution, applicable thereto, there is hereby granted to Enrique M. Reyes, hereinafter called the grantee, his successors or assigns, for a period of twenty-five years from the approval of this Act, the right, privilege and authority to construct, maintain and operate a telephone system in the Municipality of Digos; and in and between the municipalities of the Province of Davao del Sur. The grantee is authorized to carry on the business of electrical transmission of messages, conversations, impressions and signals in and between the municipalities of the said province, and for this purpose of operating said telephone systems and transmitting messages and signals by means of electricity, to construct, maintain, and operate and use all apparatus, conduits, appliances, receivers, transmitters, antennas, and equipment necessary for the electrical transmission of messages, conversations and signals, and to erect poles, structures, string wires, build conduits, lay cables, and to construct, maintain and use such other approved and generally accepted means of electrical conduction in, on, over, or under the public roads, government right-of-ways, highways, lands, bridges, rivers, waters, streets, lanes, and sidewalks of said province, and overhead or underground lines or on the surface of the ground as may be necessary and best adapted to said transmission.

SEC. 2. All poles erected and all conduits constructed or used by the grantee shall be located in places designated by the grantee with the approval of the provincial board of the Province of Davao del Sur: *Provided*, That all poles erected and used by the grantee or its successors or assigns shall be of such appearance as not to disfigure the streets, wires and cables carried by said poles and the underground cables shall be strung and laid in accordance with professional standards approved by the Public Service Commission and said poles shall be of such height as to maintain the wires and cables stretched on the same at a height of at least fifteen feet above the level of the ground, and said wires and cables shall be so placed as not to imperil the public safety, in accordance with a plan approved by the Public Service Commission: *Provided, further*, That whenever twenty-five or more pairs of wires or other conductors are carried on one line of poles in any place of the poblacion of the province, said wires or conductors shall be placed in one cable, and whenever more than eight hundred pairs of wires or other conductors are carried on one line of poles, said wires or conductors shall be placed underground by the grantee, its successors or assigns, whenever ordered to do so by the Public Service Commission.

SEC. 3. For the purpose of erecting and placing the poles or other supports of such wires or other conductors or of laying and maintaining underground said wires, cables, or other conductors, it shall be lawful for the grantee, its successors or assigns, to make excavations or lay conduits in any of the public places, highways, streets, alleys, lanes, avenues, sidewalks or bridges in the Province of Davao del Sur: *Provided, however,* That any public place, highway, street, alley, avenue, sidewalk or bridge disturbed, altered or changed by reason of the erection of poles or other supports, or the laying underground of wires or other conductors, or of conduits, shall be repaired and restored to the satisfaction of the engineer of the province, removing from the same all rubbish, dirt, refuse, or other materials which may have been placed there or taken up on the erection of said poles or the laying of said underground conduits, leaving them in a good condition as they were before the work was done.

SEC. 4. Whenever any person has obtained permission to use any of the streets of the municipality concerned for the purpose of removing any building or in the prosecution of any municipal work or for any other cause whatsoever, making it necessary to raise or remove any of said wires or conduits which may obstruct or hinder the prosecution of said work, the said grantee, upon notice duly served upon said grantee at least forty-eight hours in advance, shall raise or remove any of said wires or conduits which may hinder the prosecution of such work or obstruct the removal of said building, so as to allow the free and unobstructed prosecution of said work, and the person or entity at whose request the wires or poles or other structures have been removed, shall pay one-half of the actual cost of replacing the poles or raising the wires and other conductors or structures. The notice shall be in the form of a resolution duly adopted by the municipal council of the municipality concerned served upon the grantee or its duly authorized representatives or agents by a person competent to testify as witness in a civil action, and in case of refusal or failure of the grantee to comply with such notice, the municipal mayor with the proper approval of the provincial board of the province first had, as the case may be, shall order such wires or conduits to be raised or removed at the expense of the grantee, for the purpose aforesaid.

SEC. 5. All apparatus and appurtenances used by the grantee, its successors or assigns, shall be modern and first class in every respect, and all telephone lines or installations used, maintained and operated in connection with this franchise by the grantee, its successors or assigns, shall be kept and maintained at all times in a satisfactory manner, so as to render an efficient and adequate telephone service, and it shall be the further duty of said grantee, its successors or assigns, whenever required to do so by the Public Service Commission, to modify, improve and change such telephone system for the electrical transmission of conversations and signals by means of electricity in such manner and to such extent as the progress of science and the improvements in the method of electrical transmission of conversations, messages and signals by means of electricity may make reasonable and proper.

SEC. 6. The grantee, his successors or assigns, shall keep a separate account of the gross receipts of its telephone business, and shall furnish the Auditor General and the Treasurer of the Philippines a copy of such account not later than the thirty-first day of July of each year for the twelve months preceding the first day of July.

SEC. 7. The grantee shall be liable to pay the same taxes, unless exempted