

**[ REPUBLIC ACT NO. 5104, June 17, 1967 ]**

**AN ACT GRANTING RAUL DAZA A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN AN ICE PLANT AND COLD STORAGE IN THE CITY OF CALBAYOG, AND TO DISTRIBUTE AND SELL ICE AND SUPPLY COLD STORAGE THEREIN AND IN THE PROVINCE OF NORTHERN SAMAR.**

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

SECTION 1. Subject to the terms and conditions established in this Act and in Act Numbered Thirty-six hundred and thirty-six, and to the provisions of the Constitution, there is granted to Raul Daza, hereinafter called the grantee, for a period of twenty-five years from the approval of this Act, the right, privilege and authority to construct, maintain and operate an ice plant with cold storage in the City of Calbayog for manufacturing and distributing ice and supplying cold storage therein and in the Province of Northern Samar, with suitable branches within the said city and province, and to charge and collect fees in accordance with a schedule of prices and rates, which schedule 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 his plant.

SEC. 3. All the apparatus and appurtenances to be used by the grantee shall be modern, safe and first class in every respect, and the grantee shall change or alter any of the apparatus and appurtenances at his expense whenever the Public Service Commission has determined that public interest reasonably requires it.

SEC. 4. If the grantee shall not commence the manufacture and distribution of ice or supply cold storage within two 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 grantee's control, this franchise shall become null and void.

SEC. 5. This franchise is granted subject to the provisions of the Constitution and 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 In the event of any competing individual, association of persons, or corporation receiving from the Congress of the Philippines a similar franchise in which there shall be any term or terms more favorable than those herein granted or tending to place the herein grantee at any disadvantage, then such term or terms