

[REPUBLIC ACT NO. 5091, June 17, 1967]

**AN ACT GRANTING ELIAS M. PATILAN A FRANCHISE TO
CONSTRUCT, MAINTAIN AND OPERATE AN ICE PLANT AND COLD
STORAGE IN THE MUNICIPALITY OF CATARMAN, PROVINCE OF
SAMAR, AND TO SELL AND DISTRIBUTE ICE IN THE
MUNICIPALITIES OF CATARMAN, SAN JOSE, BOBON AND
MONDRAGON, ALL IN THE SAME PROVINCE.**

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 Commonwealth Act Number One hundred forty-six, as amended, and to the provisions of the Constitution, there is granted to Elias M. Patilan, 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 and cold storage in the Municipality of Catarman, Province of Samar, for the purpose of manufacturing ice for distribution and sale, and for supplying cold storage in the municipalities of Catarman, San Jose, Bobon, and Mondragon and to charge and collect a schedule of prices and rates therefor which schedule shall at all times be subject to regulation by the Public Service Commission or its legal successor: *Provided, however,* That the Public Service Commission shall only have the power to fix prices and rates and shall have no power to deny the grantee the right, privilege and authority to construct, maintain and operate said ice plant and cold storage.

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, whenever the Public Service Commission shall determine that public interest reasonably requires it, change or alter any of his apparatus and appurtenances at grantee's expense.

SEC. 4. If the grantee shall not commence the construction of his plant 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 the grantee's control, this franchise shall become null and void.

SEC. 5. This franchise is granted with the understanding and upon the condition that it shall be subject to amendment, alteration, or repeal by the Congress of the Philippines when the public interest so requires.

SEC. 6. The books, records and accounts of the grantee shall always be open to the inspection of the Auditor General, and it shall be the duty of the grantee to submit to the Auditor General quarterly reports in duplicate showing the gross receipts for