

[REPUBLIC ACT NO. 4389, June 19, 1965]

AN ACT GRANTING MARIA D. TAN A FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE AN ICE PLANT IN THE MUNICIPALITY OF TANGUB, PROVINCE OF MISAMIS OCCIDENTAL, AND TO SELL AND DISTRIBUTE ICE IN THE WHOLE PROVINCE OF MISAMIS OCCIDENTAL.

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, as amended by Commonwealth Act Numbered One hundred and thirty-two, and to the provisions of the Constitution, there is granted to Maria D. Tan, 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 in the Municipality of Tangub, Province of Misamis Occidental and to sell and distribute ice in the whole Province of Misamis Occidental, and to charge and collect a schedule of prices and rates for the ice so furnished which schedule of prices and rates shall at all times be subject to regulation by the Public Service Commission.

SEC. 2. The grantee shall manufacture ice up to the limit of the capacity of her plant, said limit to be determined by the Public Service Commission.

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 her apparatus and appurtenances at grantee's expense.

SEC. 4. If the grantee shall not commence the manufacture and distribution of ice within one year 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 the Constitution and Commonwealth Act Numbered One hundred forty-six, as amended, 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