

[REPUBLIC ACT NO. 4053, June 18, 1964]

AN ACT GRANTING THE TACLOBAN ELECTRIC AND ICE PLANTS COMPANY, INC., A FRANCHISE TO INSTALL, MAINTAIN AND OPERATE AN ICE PLANT IN THE CITY OF TACLOBAN AND TO SELL AND DISTRIBUTE ICE IN THE CITY AND IN THE WHOLE PROVINCE OF LEYTE.

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 the Tacloban Electric and Ice Plants Company, Inc., a franchise to install, maintain and operate an ice plant in the City of Tacloban for the purpose of manufacturing and distributing ice in the city and in the whole Province of Leyte 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.

SEC. 2. The grantee shall manufacture and supply ice up to the limit of the capacity of said ice plant which shall be determined by the Public Service Commission or its legal successor.

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 such apparatus and appurtenances at grantee's expense.

SEC. 4. This franchise shall continue for a period of twenty-five years from the date said plant shall be placed in operation and/or shall commence the manufacture and distribution of ice in the city and in the whole Province of Leyte, and is subject to the express condition that the same shall be null and void unless the construction of said plant be begun within one year from the date of approval of this Act and completed within two years from said date except when prevented by an act of God or *force majeure*, martial law, riot, civil commotion, usurpation by military power or any other cause beyond the grantee's control.

SEC. 5. This franchise is granted subject to the provisions of 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 shall *ipso facto* become part of the terms hereof and shall operate equally in favor of