

[REPUBLIC ACT NO. 4043, June 18, 1964]

**AN ACT GRANTING A. LUMANLAN & SONS, INC., A FRANCHISE
FOR AN ELECTRIC LIGHT, HEAT AND POWER SYSTEM IN THE
MUNICIPALITY OF SURIGAO, PROVINCE OF SURIGAO DEL
NORTE.**

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

SECTION 1. Subject to the provisions of the Constitution and to the terms and conditions established in Act Numbered Thirty-six hundred thirty-six, as amended by Commonwealth Act Numbered One hundred thirty-two, there is granted to A. Lumanlan & Sons, Inc., a corporation duly organized and existing under the laws of the Republic of the Philippines, for a period of twenty-five years from the date of approval of this Act, the right, privilege and authority to construct, maintain and operate an electric heat and power system for the purpose of generating, distributing electric light, heat and/or power for within the Municipality of Surigao, Province of Surigao del Norte. The grantee shall further have the right and privilege to install, lay and maintain on all streets, public thoroughfares, bridges and public places within said limit poles, wires, transformers, watt-hour meters, capacitors overhead protective devices, and pole line hardware, and other equipment necessary for the safe distribution of electric current to the public.

SEC. 2. In the event that the National Power Corporation shall have established its line in the areas adjacent to or over the territory covered by this franchise, the National Power Corporation may make available its power and heat only after negotiation with and through or with the authority and consent of the grantee.

SEC. 3. The rates for the sale of electric light, heat and/or power shall always be subject to the regulation by the Public Service Commission.

SEC. 4. In consideration of the franchise and rights-hereby granted, the grantee shall pay a franchise tax equal to two *per centum* of the gross earnings for electric current sold under this franchise: *Provided*, That the said franchise tax of two *per centum* of the gross earnings shall be in lieu of any and all taxes, imposts, levies and assessments of whatever nature by any authority whatsoever, whether national, provincial or municipal, now and in the future upon privileges, earnings, income, franchise, machinery and equipment, poles, wires, transformers, watt-hour meters and insulators of the grantee, from which taxes, imposts, levies and assessments the grantee is hereby expressly exempted.

SEC. 5. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.